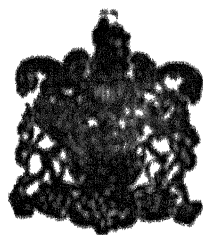


PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL
OF THE
UNITED PROVINCES

OFFICIAL REPORT

VOLUME XVII

FROM 26th FEBRUARY, to 15th MARCH 1924



ALLAHABAD

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1924

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LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Tuesday, 26th February, 1924.

THE Council met in the Council Chamber, Lucknow, at 11 a.m. The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muham-
mad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad
Mr. G. B. F. Muir.
Mr. A. G. Verrière.
Mr. G. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. W. S. Cassola.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad Et'jaz Rasul Khan.
Raja Brij Narayan Bahadur.
Mr. H. C. Desanges.
Mr. H. David.
Babu Narayan Prasad Arora
Babu Sangam Lal.
Babu Mohan Lal Saksona.
Babu Bhagwati Sahai Bedar
Thakur Manjit Singh Rathor
Chaudhri Jawant Singh.
Chaudhri Moh-raj Singh.
Pandit Nanak Chand.
Lala Babu Lal.
Rai Bahadur Pandit Kharajit Misra.
Raja Suryopal Singh.
Babu Nemi Saran
Chaudhri Badan Singh.
Thakur Sadhu Singh
Pandit Brijnandan Prasad Misra.
Thakur Har Prasad Singh.

Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Hukam Tej Pratap Singh.
Pandit Sri Krishna Dutt Paliwal.
Babu Paraidh Narayan Anand.
Pandit Yajna Narayan Upadhyay.
Raja Sri Krishna Dutt Duba
Babu Dijo Narayan Roy.
Thakur Hanuman Singh.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Madhal Singh
Babu Sita Ram.
Thakur Hukum Singh.
Dr. Muhammad Na'im Ansari
Mr. Muhammad Aslam Saifi.
Maulvi Zahur Uddin.
Khan Bahadur Chaudhri Amir Hasan Khan
Hadiz Hidayat Hussain.
Mr. Masud-uz-Zaman.
Nawabzada Muhammad Yusuf.
Maulvi Abdul Hakim.
Dr. Shafa'at Ahmad Khan.
Sayid Muhammad Ashiq Hussain.
Khan Bahadur Maulvi Faah-ud-din.
Khan Bahadur Hakim Mahbub Ali Khan.
Mr. Ashiq Hussain Mirza.
Khan Bahi Munshi Siddiq Ahmad.
Qazi Habib Ashraf.
Lieut. Shaikh Shahid Hussain.
Khan Bahadur Chaudhri Muhammad
Khan Bahadur Ashraf.
Shaikh Abdul Samad Ansari.
Mr. St. George H. S. Jackson.
Lala Mathura Prasad Mehrotra.
Lieut. Shaikh Imtiaz Rasul.
Thakur Jagannath Bakhsh Singh.
Sir Thomas Smith, Kt., V. D.
Mr. Tracy Gavin Jones.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

LISTED POSTS.

*1. **Pandit Nanak Chand :** (a) Will the Government be pleased to state as to whether the listed posts on the executive side are filled by selection or by promotion on the basis of seniority ?

(b) Is it a fact that at pre-sent no listed post on the Executive side is held by a Hindu officer out of the four listed posts open to Provincial Executive officers ?

(c) Does the Government intend to rectify what appears to be an injustice to the senior Hindu officers qualified to hold such posts ?

(d) If so, when and what action does the Government intend to take ?

The Hon'ble Mr. S. P. O'Donnell : (a) By selection.

(b) The four posts in question are held by Kunwar Maharaj Singh, C.I.E., Shaikh Muhammad Habibullah, O.B.E., Khan Bahadur Shaikh Maqbul Husain, C.I.E., and Khan Bahadur Chaudhri Wajid Husain.

(c) and (d) It should be explained that in the first instance the posts of Registrar and Deputy Registrar of Co-operative Societies were listed as such, and consequently the officers who had long officiated in these posts received permanent promotion. It is not possible to accept the principle that promotions to listed posts shall be based on communal grounds. It may, however, be pointed out that Muhammadans hold only four of the total of superior listed posts—executive and judicial which number twelve.

Pandit Nanak Chand : In view of the last portion of the answer we are to understand that Hindu officers on the executive side will not get these executive listed posts till the number is reduced on the other side.

The Hon'ble Mr. S. P. O'Donnell : No, there is no such suggestion. I say that promotions are not made on communal grounds.

Thakur Jagannath Bakhsh Singh : Is the Government in a position to let us know the principle underlying these appointments ?

The Hon'ble Mr. S. P. O'Donnell : I have already said—by selection.

Pandit Nanak Chand : Will the Government consider the question of appointing a Hindu executive officer in a vacancy in the listed posts on the executive side.

The Hon'ble Mr. S. P. O'Donnell : As a vacancy arises the claims of all officers held eligible will be considered.

GAMBLING CASE AT MORADABAD.

*2. **Pandit Nanak Chand :** (a) Will the Government be pleased to state if Mr. Barlow, Joint Magistrate, Moradabad, had any cases for gambling on his file after last Dewali ?

(b) Is it a fact that any of the accused persons were discharged or acquitted on payment or a promise to pay Rs. 2,000 or any other amount to the military hospital ?

(c) If so, was the contribution on account of any instructions from the trying magistrate in lieu of punishment?

(d) If so, does the Government approve of such action on the part of the trying magistrate; if not, what action does the Government propose to take in the matter?

The Hon'ble Mr. S. P. O'Donnell: (c) Yes. Certain inhabitants of Chandausi were prosecuted before Mr. Barlow under sections 3 and 4 of the Gambling Act in respect of gambling which occurred in the early hours of the 14th of November.

(b) No persons were discharged or acquitted on payment of any sum whatever to any hospital, military or otherwise. The accused were acquitted entirely on judicial grounds.

(c) and (d) Do not arise.

Pandit Nanak Chand: Has Government inquired if any of the accused who were acquitted or discharged paid or promised to pay any sum to the military hospital?

The Hon'ble Mr. S. P. O'Donnell: I understand they did pay some money to the hospital—I think it is to the hospital—in accordance with the practice of making over a portion of the proceeds on such occasions to some charity.

Pandit Nanak Chand: Was it a voluntary charity or had that any connection with these cases?

The Hon'ble Mr. S. P. O'Donnell: Absolutely none so far as I know.

Pandit Brijnandan Prasad Misra: How much money was promised?

The Hon'ble Mr. S. P. O'Donnell: I think the amount promised was Rs. 1,000.

Pandit Nanak Chand: Is Government aware of the name of the officer who prompted this charity?

The Hon'ble Mr. S. P. O'Donnell: No officer prompted this charity as I have already explained.

CONVICTIONS FOR INCENDIARISM IN KUMAUN.

*3. **Pandit Govind Ballabh Pant:** (a) Will the Government be pleased to state how many persons were convicted in connection with forest fires of 1921 in the districts of Almora, Garhwal and Naini Tal, respectively, and how many of them are still undergoing imprisonment?

(b) Will the Government be pleased to lay a statement on the table showing the names of the persons who are still in jail together with the term of imprisonment and the date from which the sentence began to run in each case?

(c) Has the sentence been reduced in any of these cases? If so, in which?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Figures showing the number of convictions are not at present available. It is believed that ten persons are still undergoing imprisonment in connection with these offences. In accordance with the promise made at the debate on the resolution on this subject at the last meeting orders have

issued for the examination of all these cases by a senior Judge and the question of reduction of sentences will be considered when his report is received.

INCOME FROM THE RESERVED FORESTS IN KUMAUN.

*4. **Pandit Govind Ballabh Pant :** (a) What is the annual income from the forests reserved in Kumaun hills before 1911 in each of the three districts of Almora, Garhwal and Naini Tal ?

(b) Will the Government be pleased to give an estimate of the likely income from the hill forests in Kumaun as reclassified in pursuance of the Forest Grievances Committee's report in respect of the forests reserved after 1911? By what amount is the annual income expected to exceed the expenditure? Will the Government be pleased to give full particulars and grounds on which this calculation is based?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) Owing to the arrangement of divisions at the period to which the question refers the figures for forest revenue are not available by districts.

(b) There are not yet sufficient stable data on which to form an estimate; the figures of 1924-25 will be available with the budget.

WILD BEASTS IN KUMAUN.

*5. **Pandit Govind Ballabh Pant :** (a) Will the Government be pleased to state how many human beings and cattle were killed and injured by wild beasts in the districts of Almora, Garhwal and Naini Tal, respectively, in 1923?

(b) Is it true that considerable havoc has been rendered by a man-eating tiger in the Champawat pargana of Almora district during the last six months? Will the Government be pleased to give the number of human beings and cattle so killed and injured?

(c) What is the total number of adult villagers, villages and arms licences in the said tract?

(d) What measures has the Government adopted for counteracting this mischief?

(e) Is this loss of life due, in whole or part, to the proximity or reservation of forests, paucity of arms licences and restrictions in the matter of sport?

(f) Has any assistance been given to the dependants and relatives of persons killed and injured? If so, what?

The Hon'ble Mr. S. P. O'Donnell : The information is not yet available.

DISTRICT BOARD ROADS, NAINI TAL.

*6. **Pandit Govind Ballabh Pant :** (a) Are any of the roads belonging to the district board of Naini Tal under the management of the Public Works department?

(b) Has the district board, Naini Tal, to make any annual contribution for their upkeep? If so, how much? What amount, if any, is payable annually on account of supervision and tools and plant charges?

(c) Was any resolution asking for the transfer of the management of the roads passed by the old board under the chairmanship of the Deputy Commissioner, Naini Tal, and have any resolutions to the same effect been passed by the present elected board? Will the Government be pleased to lay the copies of the said resolution on the table?

(d) Have these roads been restored to the board in accordance with these resolutions?

The Hon'ble Rai Rajeshwar Bali: Inquiry is being made and an answer will be given at a later date.

S. L. C. EXAMINATION ANSWER BOOKS.

*7. **Pandit Govind Ballabh Pant:** (a) Was any parcel containing answer books of the S. L. C. examination lost in transit last year? How many copies did it contain?

(b) Were the candidates whose answer books were thus lost re-examined? If not, how were marks allotted to them? Were any of them regarded as having failed in that subject? If so, how many? On what principle was this distinction made?

The Hon'ble Rai Rajeshwar Bali: (a) Yes. 195.

(b) (i) No; (ii) On their work in other papers and on school records; (iii) Not on account of the loss of the answer books in question; (iv) and (v) do not arise.

BRITISH EMPIRE EXHIBITION.

*8. **Pandit Govind Ballabh Pant:** Will the Government be pleased to state how much out of the amount allotted for the British Empire Exhibition for the current financial year in this province has been spent and what the balance in hand is?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Rs. 1,75,000 was provided for expenditure during the current financial year on account of this province's participation in the British Empire Exhibition, of which Rs. 79,000 was for expenditure in India and Rs. 96,000 for expenditure in England. Rupees 27,214-1-0 of the provision for expenditure in India has so far been spent, leaving a balance of Rs. 51,785-15-0 which is about to be paid to the Government of India towards rent of space at the Exhibition taken by this Government. Government are not aware at present how much of the provision of Rs. 96,000 for expenditure in England has been spent; the High Commissioner disburses this, and no account of the disbursements made has so far been received.

KASHIPUR SETTLEMENT.

*9. **Pandit Govind Ballabh Pant:** (a) When was the last revenue settlement of pargana Kashipur in the Naini Tal district carried out?

(b) What was the area under cultivation at the time of the settlement and what is it now?

(c) Has the population of the said pargana gone down since the settlement?

(d) Have any villages of the said pargana been taken under direct management on account of the proprietor's failure to pay the revenue?

What is the annual revenue payable for the same and what has been the net annual income since they were so taken in the case of each?

(e) Have any mahals or pattis been, or are any to be, put up for recovery of arrears of land revenue?

(f) Is it a fact that the villages in pargana Kashipur have undergone very serious deterioration since the settlement?

The Hon'ble Mr. S. P. O'Donnell: (a) The revised assessment was based on the figures of 1321 Fasli and took effect from 1-23 Fasli.

(b) 1321 Fasli, 43,952 acres.

1330 Fasli, 31,699 „

(c) Yes.

(d) Two.

	Annual revenue.	Annual income.
	Rs.	Rs.
(1) Dabhaura alluvial ...	2,400	2,000
(2) Dabhaura non-alluvial ...	2,100	2,756

(e) One for arrears of land revenue and irrigation dues.

(f) In less than half the villages there has been a decrease in the cultivated area varying from 50 to 25 per cent.

RE-SETTLEMENT OF THE SETTLED VILLAGES OF BHABAR.

*10. **Pandit Govind Ballabh Pant:** (a) Is a fresh settlement being carried out in the settled villages of Bhabar?

(b) When was the last settlement effected?

(c) Is this settlement designed to raise or reduce the revenue demand?

(d) Was any economic survey made before the settlement proceedings were initiated?

(e) What was the population of the Naini Tal district in 1921 as compared with 1911? Is it a fact that the district has further deteriorated since the last census?

The Hon'ble Mr. S. P. O'Donnell: The information asked for will be given at a later date.

NOTIFIED AREA, BHIM TAL.

*11. **Pandit Govind Ballabh Pant:** Are any villages included inside the limits of the notified area, Bhim Tal? If so, what is their area? Does the notified area supply the villages with light or water or other amenities?

The Hon'ble Rai Rajeshwar Bali: Inquiry is being made and an answer will be given at a later date.

INCOME FROM TARAI AND BHABAR GOVERNMENT ESTATES.

*12. **Pandit Govind Ballabh Pant:** What is the annual net income—

(a) from the Tarai and Bhabar Government estates including the special forest, and

(b) from the forests reserved in the Naini Tal district before 1911?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: (a) Rs. 3,66,695 (including land revenue) in the last year for which complete figures are available.

(b) No separate accounts are kept of the old reserves in the Naini Tal district, the income being merged in the income of the Naini Tal division.

THROUGH TRAIN SERVICE BETWEEN RAMNAGAR AND BAREILLY.

*13. **Pandit Govind Ballabh Pant:** (a) Is there a through train service between Ramnagar and Bareilly via Lalkua? What are the hours of arrival and departure at and from the terminal stations?

(b) Is it a fact that there are no latrines in third class carriages in the said train?

(c) How often did this train miss connection with 1-Up at Lalkua during the last month, i.e., from 15th December, 1923, to 14th January, 1924? What was the interval between the arrival of 18-Down at and departure of 1-Up from Lalkua on each such occasion?

The Hon'ble Mr. S. P. O'Donnell: A statement is placed on the honourable member's table

Statement giving information asked for in Council question No. 13 for the 26th February, 1924.

(a) Yes. The hours of arrival and departure at and from the terminal stations are—

	17-Up train.	18-Down train.
Bareilly City	... Dep. 10.15 hours.	Arr. 15.5 hours.
Ramnagar	... Arr. 20.15 „	Dep. 5.30 „

(b) Yes.

(c) Thirteen occasions. The interval between the arrival of 18-Down at and departure of 1-Up from Lalkua on those occasions is given below:—

Date.	Actual time of arrival of 18-Down at Lalkua.	Actual time of departure of 1-Up from Lalkua.
19th December, 1923	... 10.35	10.15
21st December, 1923	... 10.40	10.25
23rd December, 1923	... 12.55	11.00
25th December, 1923	... 11.15	10.53
27th December, 1923	... 10.52	10.19
28th December, 1923	... 10.57	10.20
1st January, 1924	... 11.24	10.35
3rd January, 1924	... 11.12	10.35
5th January, 1924	... 11.27	10.15
6th January, 1924	... 10.37	10.15
9th January, 1924	... 10.50	10.34
11th January, 1924	... 10.57	10.15
12th January, 1924	... 10.21	10.15

SALT DUTY.

*14. **Lala Mathura Prasad Mehrotra:** (1) Was the United Provinces Government consulted in the enhancement of salt duty?

(2) If so—

(a) Were the Ministers consulted in the matter?

(b) What was the attitude of the Local Government on the question?

The Hon'ble Mr. S. P. O'Donnell : The answer to the first part of the question is in the negative and the second part consequently does not arise.

S. L. C. EXAMINATION ANSWER BOOKS.

*15. **Lala Mathura Prasad Mehrotra :** (1) Is it a fact that a bundle of S. L. C. examination answer books was sold in the lost property auction of the Oudh and Rohilkhand Railway at the Charbagh station, Lucknow?

(2) If so, why were such important papers so carelessly despatched without the parcel being insured?

(3) Has the Government devised any means which may lead to non-recurrence of such mishaps in future?

The Hon'ble Rai Rajeshwar Bali : (1) Government understand that the facts are as stated by the honourable member.

(2) It has not been the practice hitherto to insure such parcels.

(3) Government are drawing the attention of the Board of High School and Intermediate Education, which now conducts this examination, to the importance of taking measures to prevent the occurrence of such incidents in future.

Lala Mathura Prasad Mehrotra : Will the Government be pleased to make it a practice in future to insure such parcels?

The Hon'ble Rai Rajeshwar Bali : The Board will consider it.

Thakur Jagannath Bakhsh Singh : Is Government in a position to state the results in the case of the candidates whose copies are referred to in this question?

The Hon'ble Rai Rajeshwar Bali : Only three out of 195 failed.

Thakur Jagannath Bakhsh Singh : You mean of those whose answer copies were missing?

The Hon'ble Rai Rajeshwar Bali : Yes.

GRANT OF A PART OF INCOME FROM TAX ON MOTOR VEHICLES TO DISTRICT BOARDS.

*16. **Kunwar Surendra Pratap Sahi :** Will the Government be pleased to state its reasons for having disallowed to certain district boards their prayer for the grant of at least a part of the income derived from the United Provinces motor-tax?

The Hon'ble Mr. S. P. O'Donnell : No such prayer has been disallowed. As has already been stated in reply to other questions, the matter will be considered when the yield of the tax is known.

LUCKNOW-SULTANPUR AND KADIPUR-SHAHGANJ ROADS.

*17. **Kunwar Surendra Pratap Sahi :** Will the Government be pleased to consider the question of metalling the unmetalled portions of the Lucknow-Sultanpur and Kadipur-Shahganj roads?

The Hon'ble Rai Rajeshwar Bali : These roads are district board roads. The district boards and not Government are concerned.

NUMBER OF MURDERS COMMITTED IN THE PROVINCE.

*18. **Kunwar Surendra Partap Sahi :** Will the Government be pleased to lay on the table figures showing the number of murders committed annually within the last six years in each district of the province?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honourable member will find statistics for the whole province in the annual reports on the administration of the police. These reports show that the number of true cases of murder in the years 1917—1922 inclusive was 754, 840, 871, 786, 754 and 883 in each year respectively. Statistics for each district are not available and could not be obtained without reference to each district.

VILLAGE PANCHAYATS.

*19. **Kunwar Surendra Partap Sahi :** Will the Government be pleased to state how many village *panchayats* have been created in the district of Sultanpur within the last three years?

The Hon'ble Rai Rajeshwar Bali : The number of *panchayats* was 151 on the 30th September, 1923.

SANSKRIT PATHSHALAS.

*20. **Kunwar Surendra Partap Sahi :** Will the Government be pleased to state the amount spent annually on Sanskrit Pathshalas in each district?

The Hon'ble Rai Rajeshwar Bali : The honourable member presumably refers to grants given by Government to Sanskrit Pathshalas in the United Provinces from provincial funds. The provincial allotment for grants to these institutions is Rs. 18,022 for the current financial year. A statement showing the names of the different aided Sanskrit Pathshalas in the province, and the amount of grant given to each is placed on the table of the honourable member :—

*List of oriental institutions aided from provincial revenues
in the United Provinces for the year 1923-24.*

Number.	District.	Name of institution.	Monthly grant from 1st March, 1923.			Remarks.
			Rs.	a.	p.	
(1) SANSKRIT PATHSHALAS.			Rs.	a.	p.	
1	Jampur ..	Sanatan Dharm Pathshala	41	0	0	
2	Do. ..	Bhokaram Sanskrit Pathshala, Ukni, Post Office Punwar.	26	0	0	
3	Do. ..	Sanskrit Pathshala, Patti Narindpur.	15	0	0	
4	Alhahabad ..	Dharm Jyotopadaya Pathshala ..	30	0	0	
5	Do. ..	Srinath or Ramnagar Sanskrit Pathshala, Sirsa.	15	8	0	
Carried over ..			130	8	0	

Number.	District.	Name of institution.	Monthly grant from 1st March, 1923.	Remarks
		(1) SANSKRIT PATHSHALAS		
		(continued.)		
		Brought forward	20 8 0	
6	Allahabad	Sarjuparini Brahman Pathshala, Badshahi Mandi.	34 0 0	
7	Do.	Tirbeni Sanskrit Pathshala, Banaganj.	14 0 0	
8	Gorakhpur	Sanskrit Pathshala, Bishwanathpur	11 0 0	
9	Do.	Ditto Damsi	30 0 0	
10	Do.	Ditto Solgauna	40 0 0	
11	Do.	Ditto in the Patosi Estate	27 0 0	
12	Do.	Pathshala Bhawapur.		
13	Do.	Vedang Vyakaran Pathshala Hardoi Post Office Bangaon.	22 0 0	
14	Do.	Vidya Dharma Sanjivini Pathshala, Deoria.	20 0 0	
15	Do.	Sanskrit Pathshala, Rudrapur	20 0 0	
16	Do.	Sanatan Dharam Vardhini Sanskrit Pathshala, Dhani.	10 0 0	
17	Do.	Sanatan Dharam Sanskrit Pathshala, Rusaampur.	20 0 0	
18	Do.	Sanskrit Pathshala, Dhakwa Bazar	15 0 0	
19	Do.	Saraswati Sanskrit Pathshala, Poppiganj	21 0 0	
20	Do.	Sarwar Pathshala, Salampur	27 0 0	
21	Do.	Sanskrit Pathshala, Kumpur, tahsil Bangaon.	10 0 0	
22	Do.	Vaishnava Dharam Parvardhini Sanskrit Pathshala, Rama Mau, tahsil Bangaon.	10 0 0	
23	Do.	Hindi-Sanskrit-Sahitya Darsha Vidyalaya, Dharsi, Post Office Gagha.	10 0 0	
24	Do.	Sanskrit Vidya Dharma, Sanjivini Pathshala, Dalpatpur, Bahora, Post Office Rudrapur.	15 0 0	
25	Do.	Sanskrit Pathshala, Dharha, tahsil Hata.	12 8 0	
26	Aligarh	Kameshwar Sanskrit Pathshala	15 0 0	
27	Ballia	Sanskrit Pathshala	20 0 0	
28	Do.	Debi Prasad Sanskrit Pathshala	30 0 0	
29	Ghazipur	Victoria Sanskrit Pathshala	33 0 0	
30	Mirzapur	Sanatan Dharam Rakshaniya Sanskrit Pathshala, Brujraj, Katra.	12 8 0	
31	Gonda	Sanskrit Pathshala attached to Lyall Collegiate School, Balrampur.	67 0 0	
32	Do.	Sanatan Dharam Sanskrit Pathshala, Kali Kunda, Post Office Nawabganj.	10 0 0	
33	Do.	Sang Veda Vidyalaya, Post Office Bangaon	80 0 0	
34	Sitapur	Seth Raghubar Dayal School, Sanskrit department.	50 0 0	
35	Kheri	Dharam Sabha School, Lakhimpur	48 0 0	
36	Hardoi	Vyakaran Tatwa Prakashika Pathshala, Sandi.	25 8 0	
37	Garhwal	Timli Pathshala	25 0 0	
38	Do.	Badrish-Kirti Sanskrit Vidyalaya, Post Office Simli, via Koranprayag.	20 0 0	
39	Azamgarh	Sanatan Dharam Pathshala	60 0 0	
40	Do.	Sanatan Dharam Sanskrit Pathshala, Harshankarpur, Post Office Ahraula.	17 0 0	
	Do.	Sanskrit Pathshala, Bazar Goshain, tahsil Bagti.	5 0 0	
		Carried over	1,062 8 0	

Number.	District.	Name of institution.	Monthly grant from 1st March, 1923.	Remarks.
(1) SANSKRIT PATHSHALAS - (concluded).			Rs. a. p.	
		Brought forward ..	1,062 8 4	
41	Azamgarh ..	Sri Sanatan Dharam Vidyalaya Sanskrit Pathshala, Kaneri, Post Office Phulpur ..	22 0 0	
42	Do ..	Sanskrit Pathshala Hirajpatti, Post Office Madhubani.	19 0 0	
43	Do ..	Sanskrit Pathshala, Mau ..	49 0 0	
44	Do ..	Sanskrit Pathshala, Rani-ki-Sarai ..	10 0 0	
45	Do ..	Sanjaya Sanskrit Pathshala, Raizade-pur, tahsil Sagri.	30 0 0	
46	Do ..	Sanskrit Pathshala, Gadadasi Post Office Mutamabad, Gohna.	12 8 0	
47	Bulandshahr ..	Sanskrit Pathshala attached to the E. ward Coronation High School, Khurja.	4 0 0	
48	Do ..	Sanskrit Pathshala attached to Janki Prasad's A. S. High School, Khurja.	5 0 0	
49	Agra ..	Vidya Dharam Varshini Pathshala, Seo Bazar.	14 0 0	
50	Muttra ..	Sri Rupa Lakshmi Vidyalaya, Brindaban	20 0 0	
51	Do ..	Saulbhari Rudrakul Pathshala, Gowardhan	15 0 0	
52	Etawah ..	Sanskrit Pathshala, Auraiya ..	35 0 0	
53	Farrukhabad ..	Shal gram Jagannath Mitha Sanatan Dharam Vidyalaya, mohalla Cudri Janwaran.	20 0 0	
54	Meerut ..	Villvanswar Vidyalaya, Sadar ..	20 0 0	
55	Do ..	Sanatan Dharam Sanskrit Pathshala, Bilkhawa.	7 8 0	
56	Saharanpur ..	Rhagirathi Sanskrit Pathshala, Kankhal	28 0 0	
57	Etah ..	Sanatan Dharam Vidyalaya, Manyangauj.	7 8 0	
58	Pardi ..	Mekandnath Sanskrit Vidyalaya, Choti Rudrapur, tahsil Banaul.	30 0 0	
59	Do ..	Sanskrit Pathshala, Bishunpur, Post Office Captainganj.	15 0 0	
60	Pilibhit ..	Lalit Sanskrit Pathshala, Bhalpur ..	5 0 0	
61	Budaun ..	Hitopadeshini Sanskrit Pathshala, Tikotganj.	10 0 0	
62	Banda ..	Tulshi Smarak Sanskrit Pathshala, Rajapur.	17 8 0	
		Total ..	1,543 8 0	
(2) ARABIC MADRASAS.				
1	Ghazipur ..	Al-Jam-i-Rahmat School ..	205 0 0	
2	Benares ..	Madrasa Nazhar-ul-Ulum ..	195 0 0	
3	Do ..	Madrasa Imanna ..	60 0 0	
4	Moradabad ..	Madrasa Siraj-ul-Ulum, Sambhal	100 0 0	
5	Do ..	Nur-ul Madaris, Amroha ..	80 0 0	
6	Do ..	Madrasa Islama, Sambhal ..	40 0 0	
7	Do ..	Madrasa Syad-ul-Madaris, Amroha	50 0 0	
8	Fyzabad ..	Wasiq Arabic School ..	200 0 0	
9	Do ..	Madrasa Kanz-ul-Ulum, Tanda	100 0 0	
10	Aligarh ..	Madrasa Juma Mosque ..	90 0 0	
11	Meerut ..	Madrasa Islamiya ..	100 0 0	
12	Do ..	Manabiaz Arabic College ..	70 0 0	
13	Lucknow ..	Madrasa Nazimiya ..	200 0 0	
14	Do ..	Madrasa Sultanul Madaris ..	250 0 0	
		Carried over ..	1,670 0 0	

Num- ber.	District.	Name of institution.	Monthly grant from 1st March, 1924.		Remarks.
			Rs.	P.	
(2) ARABIC MADRASAS (concluded).					
		Brought forward	1,670	0	0
15	Allahabad ..	Misbah-ul-Ulum, Allahabad	300	0	0
16	Gorakhpur ..	Madrasa Islamia	100	0	0
17	Barilly ..	Madrasa Misbahul Ulum	70	0	0
18	Do. ..	Madrasa Manzar Islam, Barilly	100	0	0
19	Hardoi ..	Madrasa Islamia	50	0	0
20	Fatehpur ..	Madrasa Islamia	50	0	0
21	Agra ..	Madrasa Juma Mosque	100	0	0
22	Saharanpur ..	Madrasa Makhan-ul-Ulum, Labari Darwaza.	50	0	0
23	Bulandshahr ..	Madrasa Kasim-ul-Ulum, Khurja	50	0	0
24	Do. ..	Madrasa Mamba-ul-Ulum, Graathi	50	0	0
25	Cawnpore ..	Madrasa Zia-ul-Ulum	30	0	0
Total			2,520	0	0
GRAND TOTAL			4,663	0	0

UNITED PROVINCES DEVELOPMENT LOAN.

*21. **Kunwar Surendra Pratap Sahi**: Will the Government be pleased to state if the expenditure of the money borrowed for the United Provinces Development Loan is being made according to some scheme drawn up by a committee?

If the reply be in the affirmative, will the Government be pleased to further state who are the members of the committee?

The Hon'ble Mr. S. P. O'Donnell: The answer is in the negative. The Loan was raised to finance expenditure on certain definite objects which were approved by the Legislative Council, and are described in the prospectus of the Loan. Money is allotted out of the Loan funds for expenditure on these objects, when necessary, in exactly the same manner as money is allotted from other funds to expenditure on other objects. A demand is laid before the Council as part of the budget and voted by the Council.

*22. **Kunwar Surendra Pratap Sahi**: Will the Government be pleased to state the amount of money that has already been spent out of the United Provinces Development Loan?

The Hon'ble Mr. S. P. O'Donnell: The expenditure from the United Provinces Development Loan up to the end of December, 1923, amounted to Rs. 2,18,65,614.

TEXT-BOOK COMMITTEE.

*23. **Rai Bahadur Babu Shankar Dayal**: (a) Has it been usual with the Text-Book Committee to hold every year one of its sessions in or about September?

(b) Did the Text-Book Committee meet in or about September, 1923?

(c) If it did not meet, why did it not meet?

(d) If it did not meet in or about September because of the opinions on the books not having been received from the members, were those opinions received in time for the December meeting?

(e) What measure, if any, does the Government propose to adopt for ensuring the receipt of the opinions in due time?

(f) Will the Government consider in this connection the advisability of adding to the number of the members of the sub-committees?

The Hon'ble Rai Rajeshwar Bali : (a) and (e) The honourable member presumably refers to the sub-committees of the Text-Book Committee.

(b) No.

(d), (e) and (f) Do not arise.

***24. Rai Bahadur Babu Shankar Dayal :** (a) Is it a rule that a book once rejected by the Text-Book Committee is not reconsidered by it unless it is submitted in a revised or improved form?

(b) In what year was the series of books known as "Bachchon ka-Bagh" submitted for the first time by the author or publisher?

(c) Was it rejected that year by the Text-Book Committee?

(d) Is it a fact that the same books without any change, whatever, were submitted again by the publishers in 1922 and have since been passed by the Text-Book Committee and introduced by the Director of Public Instruction as alternative text-books?

(e) What was the cause for the departure from the rule in favour of the series?

The Hon'ble Rai Rajeshwar Bali : (a) There is no definite rule on the subject but the general practice is as stated in the question.

(b) In 1915, only books I and II of "Bachchon-ka-Bagh" and not the complete series, were sent to the Text-Book Committee.

(c) No.

(d) No.

(e) Does not arise.

***25. Rai Bahadur Babu Shankar Dayal :** (a) Is it a fact that the series of books known as "Bachchon-ka-Bagh" was not sent at all for examination and submission of opinion to two or three members out of the five or six that composed the sub-committee?

(b) Was the series submitted for their written opinion to Professor Abid Ali Faridi and Khan Bahadur Amin-ullah?

(c) Was the Hindi edition of this series at all submitted to Lala Sita Ram?

(d) Is it a fact that other series of Common Language Readers that were submitted by other publishers and were forwarded by the Secretary to the Text-Book Committee to these three gentlemen were rejected by them.

(e) Will the Government consider the advisability of having "Bachchon-ka-Bagh" which had been rejected by the Text-Book Committee and was again considered by it examined by all the members of the sub-committee?

The Hon'ble Rai Rajeshwar Bali : (a) No.

(b) Yes.

(c) Yes.

(d) No.

(e) No.

*26. **Rai Bahadur Babu Shankar Dayal :** (a) Who is the Secretary to the Text-Book Committee ?

(b) Is the Secretary the author or joint author of the history recently prescribed for Vernacular and Anglo-Vernacular schools ?

(c) If the Secretary is the joint author of the book, why is his name as joint author omitted from the title page, while that of the other author figures there ?

(d) Is the Indian Press that has published the history the same firm that played a conspicuous part in the defamation cases of Sir Claude de la Fosse versus Mr. Gurtu and others ?

(e) Is it a rule of the Text-Book Committee that an English translation of the history meant for Vernacular schools should be submitted to the committee for its consideration ?

(f) Is it a fact that the Secretary to the Text-Book Committee, instead of submitting a translation of his entire history, submitted in English but a synopsis thereof ?

(g) Why was a departure from the rule made in favour of the Secretary to the Text-Book Committee ?

(h) Will it please the Government to place on the table a copy of the Secretary's English translation ?

(i) Is the Secretary to the Text-Book Committee the author or joint author of any of the Arithmetics for Vernacular schools or any other book or books submitted to the Text-Book Committee for its consideration.

(j) If the answer is in the affirmative, will it please the Government to mention the name or names of the book or books and to state whether the Secretary's name as author occurs in any case on the title page or it is absolutely suppressed ?

The Hon'ble Rai Rajeshwar Bali : (a) Mr. Raghunath Das, Registrar, Departmental Examinations, is the *ex officio* Secretary of the Text-Book Committee.

(b) No. He prepared the original draft several years ago, but sold the manuscript to the present author.

(c) Does not arise.

(d) Government understand that the book has been published by the Indian Press.

(e) No.

(f) The book in question was received from the publishers. They also sent a synopsis of the book in English. The Secretary had no concern with the matter.

(g) No.

(h) Does not arise.

(i) No.

(j) Does not arise.

***27. Rai Bahadur Babu Shankar Dayal :** (a) Has the Education department of the United Provinces framed a rule to the effect that the books submitted by authors and publishers who deal in keys will not be considered by the Provincial Text-Book Committee ?

(b) Is the Government aware that it was Mr. J. C. Nesfield, some time Director of Public Instruction in the United Provinces, who compiled and issued keys and cram books on an extensive scale ?

(c) What measure, if any, did the Government take against Mr. Nesfield as writer and publisher of cram books ?

(d) Is the Government aware that Sir Claude de la Fosse when Director of Public Instruction enforced the rule referred to above only in the case of certain Indian authors and publishers and failed to take action even when the Hon'ble Syed Raza Ali brought to his notice that Messrs. Macmillan went so far as to publish keys to Nesfield's grammars ?

(e) Is the Government aware that the Education department, while it has removed the other books of Lala Ram Narain Lal from the list of approved books on the plea that he deals in keys, has taken no action against the books on translation issued by him ?

(f) What is the reason that Lala Ram Narain Lal's books on translation have not been placed under an interdiction ?

(g) Is it a fact that the greater portion of Lala Ram Narain Lal's books on translation has been compiled by Messrs. Gordon, Oakley and other non-Indian gentlemen ?

(h) Is the Government aware that it is the Education department of the United Provinces alone that declines to consider the books issued by authors and publishers dealing in keys ?

(i) Is the Government aware that many authors and publishers, while professing not to deal in keys, do so with impunity by authorizing other men to publish them on their account ?

(j) In view of the futility of the rule which is not and which cannot be always enforced against the real offender, will the Government be pleased to direct its withdrawal and substitution of some other method of discouraging the use of keys and cram books much more effective and equitable ?

The Hon'ble Rai Rajeshwar Bali : (a) There is no rule to the effect in the Educational Code but cases have occurred in which the Director of Public Instruction under the powers vested in him under paragraph 415 of the Educational Code has not forwarded to the Text-Book Committee, for its consideration, books produced by authors and publishers who deal habitually in keys and cram books. This step was taken with a view to discourage the publication of keys and cram books, the use of which in schools is strictly prohibited under paragraph 114 of the Educational Code.

(b) and (c) Mr. Nesfield retired from service about 30 years ago. It is not possible for Government to give at this distance of time information about his books.

(d) Government are not aware of this.

(e) Yes.

(f) Because good alternatives to take their place were not available.

(g) The books on translation published by Lala Ram Navain Lal are by Indian as well as non-Indian authors.

(h) and (i) Government have no information on the subject.

(j) The suggestion will be considered.

*28. **Rai Bahadur Babu Shankar Dayal:** Will it please the Government to place on the table a full report of the proceedings of the meetings of the sub-committees of the Provincial Text-Book Committee in Arithmetic, Hindi and Urdu, held in December last, together with the opinions submitted by the members on the books in the above subjects and considered at those meetings?

The Hon'ble Rai Rajeshwar Bali: A full report of the proceedings of the meetings of the sub-committees in question is placed on the table of the honourable member. The opinions submitted by the members on the books are confidential and Government therefore regret that they cannot be placed on the table.

*29. **Rai Bahadur Babu Shankar Dayal:** (a) Will it please the Government to place on the table a list of the members who appoint the text-books for the Intermediate and High School Examinations and a copy of the procedure followed by the Board when a book is submitted for its consideration?

(b) Does the Board publish the proceedings of its Text-Book Committees?

(c) Does the Board acknowledge the receipt of a book submitted for its consideration and in the event of the acceptance or rejection of a book submitted for its consideration, is any information sent by the Board to the sender?

(d) Has the Board framed any such rule that books submitted by dealers in keys shall not be considered?

The Hon'ble Rai Rajeshwar Bali: (a) A list of the members who select the text-books for the Intermediate and High School Examinations is printed at pages 39—44 of the Calendar of the Board of High School and Intermediate Education for 1922-23. A copy of this publication will be found in the Council Library.

The procedure followed by the Board when a book is submitted for its consideration is laid down in Regulation 7, Chapter III, and in Regulations 3—6 of Chapter V of the Board's Regulations, which are printed in the Calendar.

(b) No.

(c) The Board does not acknowledge the receipt of books submitted for its consideration unless a receipt is asked for. In the event of the acceptance of a book, the name of the book, and of the author and publisher, are published in the Prospectus, no separate information being furnished to the sender in cases of acceptance or rejection.

(d) No.

HARDWAR-KARANPRAYAG RAILWAY.

*30. **Mr. Mukandi Lal:** Will the Government be pleased to state how far has the Government proceeded in the matter of the Hardwar-Karanprayag Railway? When are the works likely to be commenced?

The Hon'ble Mr. S. P. O'Donnell : The Government of India proposed to construct the railway from programme funds provided the Local Government guaranteed that Government from loss on the working of the railway. The financial position of the Local Government did not justify their acceptance of such a proposal. The work therefore is not likely to start for some time to come.

Mr. Mukandi Lal : Will Government be prepared to invite private companies to construct the line?

The Hon'ble Mr. S. P. O'Donnell : It is entirely a matter for the Government of India. It is not in our hands.

Mr. Mukandi Lal : Will the Local Government be pleased to recommend it to the Imperial Government?

The Hon'ble Mr. S. P. O'Donnell : I do not think we would be acting with propriety in making such a suggestion.

Babu Bhagwati Sahai Bedar : May I know what are the duties and responsibilities of the Advisory Committees on railways?

The Hon'ble the President : That does not arise out of the question.

LANDSDOWNE HIGH SCHOOL.

*31. **Mr. Mukandi Lal :** Will the Minister for Education be pleased to state when does the Government propose to take over the Lansdowne High School from the managing committee of the said school?

The Hon'ble Rai Rajeshwar Bali : In the financial year 1924-25, provided that funds for the purpose are voted by the Council.

*32. **Mr. Mukandi Lal :** Has any provision been made in the next budget for the said school?

The Hon'ble Rai Rajeshwar Bali : Yes, subject to the vote of the Council.

INTERMEDIATE COLLEGE, GARHWAL.

*33. **Mr. Mukandi Lal :** Is the Government aware that there is no Intermediate College or classes anywhere in the district of Garhwal and the nearest collegiate classes are over a hundred miles from the boundary of the district?

The Hon'ble Rai Rajeshwar Bali : Yes.

*34. **Mr. Mukandi Lal :** Does the Government contemplate opening Intermediate classes in one of the existing schools in Garhwal?

The Hon'ble Rai Rajeshwar Bali : Not at present.

Mr. Mukandi Lal : When?

The Hon'ble Rai Rajeshwar Bali : When funds will permit.

PUBLIC ROAD IN GARHWAL.

*35. **Mr. Mukandi Lal :** Will the Government be pleased to state what is the total mileage of the public road in the Garhwal district?

(1) How much of that road is under the control of, and worked by, the Public Works department?

(2) How much of it is under the control of, and worked by, the district board of Garhwal?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The total mileage of the roads in the Garhwal district is 1,078.

The miles of road under the control of, and worked by, the Public Works department and the district board are 398 and 680, respectively.

***36. Mr. Mukandi Lal :** What is the annual expenditure of the Public Works department in Garhwal?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The average annual expenditure of the Public Works department for the last three years was Rs. 3,08,318.

Mr. Mukandi Lal : How much of that comes from the Sadabart fund?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not sure what amount comes from the Sadabart fund, but it is not a very substantial amount.

***37. Mr. Mukandi Lal :** How much money does the district board of Garhwal spend on the public roads of the district?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

BRIDGES IN GARHWAL.

***38. Mr. Mukandi Lal :** (1) What is the total number of bridges in Garhwal—

(2) how many of them are under the district board, and

(3) how many under the Public Works department?

***39. Mr. Mukandi Lal :** How many bridges which are under the district board require immediate repairs or reconstruction and what will be the approximate cost of the same repairs and reconstruction?

***40. Mr. Mukandi Lal :** What is the number of the bridges under the district board of Garhwal which required reconstructing or repairs for the last two years and have not yet been repaired or reconstructed for want of funds?

***41. Mr. Mukandi Lal :** What is the annual income of the district board of Garhwal and what is its annual expenditure?

***42. Mr. Mukandi Lal :** How is the deficit met?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

KUMAUN FOREST GRIEVANCES COMMITTEE.

***43. Mr. Mukandi Lal :** Is the report of the Kumaun Forest Grievances Committee published? If it is, will it be sold to the public?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honorable member is referred to notification No. 1121/XIV--109, dated the 6th November, 1922, in the *United Provinces Gazette* of the 11th November, 1922.

***44. Mr. Mukandi Lal :** Have the recommendations of the said committee been accepted or any action or steps taken under them so far?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The honourable member is referred to the Government resolution No. 611/XIV—109, dated the 12th June, 1922, published in the *United Provinces Gazette* of the 1st July, 1922. Action has been taken on the lines laid down in that resolution.

DEMAND OF ASSURANCE FROM NON-CO-OPERATING LEGAL PRACTITIONERS.

*45. **Babu Bhagwati Sahai Bedar:** Is it a fact that at the time of renewal of certificates for the resumption of their practices some sort of assurance was demanded from certain non-co-operating legal practitioners convicted for political offences?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Two legal practitioners in Oudh who had been convicted under the Criminal Law Amendment Act were invited to define their attitude with regard to civil disobedience and their readiness to respect the law and the courts.

*46. **Babu Bhagwati Sahai Bedar:** If so, will the Government be pleased to state—

- (a) the actual words of assurance demanded from these legal practitioners;
- (b) the names of those whose certificates were renewed on receipt of this assurance;
- (c) the names of those whose certificates were not renewed since they failed to submit such assurance?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No assurance in a definite form was demanded.

In the case of Mir Wajid Ali an order was recorded to the effect that a pleader cannot be allowed to practise if he is not prepared to respect the law and the law courts—and he was invited to state his position. On his reply, his certificate was renewed.

Babu Harnam Sundar Lal Varma did not reply to a similar invitation and no further orders were passed.

Babu Bhagwati Sahai Bedar: Is the Government aware that some legal practitioners outside Oudh have resumed their practice and that no sort of assurance was demanded from them, nor was their opinion invited in the matter of civil disobedience?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: So far Government has no information.

Babu Bhagwati Sahai Bedar: Is it a fact that Babu Ganpat Sahai of Sultanpur who was similarly convicted had not to file any declaration like that?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The Government is not aware.

Babu Bhagwati Sahai Bedar: May I ask, Sir, is this demand of assurance permitted by the Legal Practitioners' Act?

The Hon'ble the President: This is rather a question of legal opinion which must be paid for.

Babu Bhagwati Sahai Bedar : May I know, Sir, who demanded this assurance?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I have already stated in reply to question No. 46 that no assurance was demanded.

Babu Bhagwati Sahai Bedar : May I ask on whose initiation the assurance was demanded?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The Judicial Commissioner.

Babu Bhagwati Sahai Bedar : Is the Government aware that any such instructions were issued by the Judicial Commissioner?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No.

Babu Bhagwati Sahai Bedar : Then why such assurance was demanded?

Government did not reply.

UTILIZATION CIRCLE, BAREILLY.

*47. **Mr. Ashiq Husain Mirza :** Will the Government be pleased to state what was the reason of the establishment of the Utilization circle, Bareilly?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The necessity for promoting the utilization of forest products and the development of forest industries.

*48. **Mr. Ashiq Husain Mirza :** How far are these reasons still operative?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : These reasons are still operative.

*49. **Mr. Ashiq Husain Mirza :** How much money has been spent by this circle since its establishment at Bareilly to date? How much of this was capital expenditure?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) In round figures 103·91 lakhs including 3·42 lakhs loan money.
(b) 33·38 lakhs.

*50. **Mr. Ashiq Husain Mirza :** What trades have been pushed by this circle and with what results to the public exchequer?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Rosin, turpentine, bobbins and tubes of all kinds used in the textile industries, sleepers both of woods of known value and of woods not hitherto in demand, timber for building work, planking, plywood, box shocks, wood for barrels, tool handles, furniture, toys, and a variety of small articles.

The result to the public exchequer cannot be given in figures, but the activities of the circle have undoubtedly led to an increased demand for woods which brings in more revenue to the territorial circles.

*51. **Mr. Ashiq Husain Mirza :** (1) Why were the activities of this circle curtailed?

(2) What was the gross expenditure incurred by this circle since its inception in Bareilly on—

(Turpentine Factory,

- (b) Bobbin Factory,
- (c) Wood-Working Institute,

to date of transference of the first two to private companies and the last to the department of Industries ?

(3) What has been the valuation of the first two of these factories by the companies who have taken them over ?

(4) How much money was spent on all these (a) for machinery and (b) for buildings respectively ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (1) The proposal to transfer the sawmill and turnery to a limited company was accepted on the advice of the Forest Board, Government management being hampered by the fact that freedom to work on commercial lines could not be given, particularly in regard to the provision of the working capital and the purchase of stores in England. The resin distillery having already proved sufficiently successful, the Forest Board considered the introduction of private enterprise desirable. The Wood-Working Institute was also transferred to the Industries department under the advice of the Forest Board which considered that education was primarily a matter for the Industries department.

(2) Gross expenditure on Turpentine Factory, including the revised estimate for 1923-24 (in thousands) ...	21,90,
Bobbin Factory, including the revised estimate for 1923-24 ...	45,81,
Wood-Working Institute ...	23,36,

(3) Government has no knowledge of any valuation having been made by the companies.

(4) Turpentine Factory machinery ...	5,30,
Ditto buildings ...	5,02,
Bobbin machinery ...	6,02,
Do. buildings ...	9,31,
Wood-Working Institute buildings ...	5,50,
Total machinery and stores (separate figures could not be given) ...	4,77,

Mr. Ashiq Husain Mirza : Does the cost of the buildings include the cost of re-roofing the factory twice when the roof very nearly collapsed ?

Mr. H. G. Billson : Probably it does, but I require notice.

Rai Bahadur Babu Vikramajit Singh : Will the Government be pleased to state, with reference to parts (2), (3) and (4) of question No. 51, why there has been such a great loss in the disposal of these various factories ?

Mr. H. G. Billson : The figures given in the reply are not figures of losses, but of gross expenditure.

Rai Bahadur Babu Vikramajit Singh : Have these factories been sold ?

Mr. H. G. Billson : They have been made over to limited companies.

Rai Bahadur Babu Vikramajit Singh : At what price ?

Mr. H. G. Billson : I ask for notice.

***52. Mr. Ashiq Husain Mirza :** Is it a fact that the Turpentine and Bobbin Factories have been transferred to private companies at an enormous loss of public money ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No. It is believed that the transfer will yield better financial results than State management.

***53. Mr. Ashiq Husain Mirza :** Is it a fact that the department of Industries has reduced the yearly expenditure on the Wood-Working Institute to less than half since the institute has been handed over to them ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : There has been a reduction in the yearly expenditure as below :—

	Rs.
Actual expenditure, 1922-23 ...	3,22,845 (Revenue).
Budget for 1923-24 as prepared by Forest department—proposed expenditure ...	1,80,000 (Revenue).
This was further reduced by the Industries department to ...	1,58,000 (in round figures).

***54. Mr. Ashiq Husain Mirza :** How many Europeans were engaged by this circle in England on agreements for the Bobbin Factory and Wood-Working Institute ? How many of these fulfilled their agreements ? How many of them were sent back during the course of their agreements and why ? How much public money was thus incurred in the experiment ? Who was responsible for their engagement ? A detailed statement showing the names of persons engaged, pay, allowances, profession, date of arrival and date of departure from Bareilly, passage money paid coming and going, and actual time spent on work in India and total cost per person so sent back and brought out is requested.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan :

(a) For the Bobbin Factory ...	8
For the Wood-Working Institute ...	6

(b) In the Bobbin Factory none completed the full service under their agreements, as the concern was made over to a syndicate for promotion as a limited company before the expiry of the term of their engagement.

In the Wood-Working Institute one is still in service, the full term of his engagement not having been completed, a second has been transferred to another and more important post under the Industries department and three others were allowed to take leave in completion of their terms of engagement.

(c) From the Bobbin Factory—

Unsatisfactory ...	...	1
Breakdown of health ...	...	1
Effect of war-received injuries ...	...	2
Transfer of factory ...	...	4

From the Wood-Working Institute—

Completion of experimental work ...	...	1
Leave in completion of term of engagement ...	...	3

(d) Rupees 2,92,839.

(e) The Secretary of State for India.

(f) A statement is attached to the reply.

Statement referred to in reply to starred question No. 54, part (C).

Name.	Pay.	Allowances.	Profession.	Date of arrival at Bareilly.	Date of departure from Bareilly.	Passage money.*		Actual time spent on works in India.	Total cost per person sent back and brought out.
						Coming.	Going.		
<i>Bobbins Factory.</i>									
Mr. C. G. Rows	Rs. 1,500	Free passages, house and I. A. of class in India	General Manager, Sawmill and Turnery.	1-5-21	15-9-23	Rs. 2,381		Y. m. d. 2 4 15	Rs. 52,701
Mr. T. E. Nuttall	1,500	Ditto	Manager, Turnery	19-3-21	12-6-23	2,504		2 2 24	44,589
Mr. T. Webster	1,000	Ditto	Manager, Sawmill	19-3-21	15-5-21	3,159		0 5 27	5,825
Mr. A. M. Walstell	1,100	Ditto	Engineer	12-5-22	5-8-23	10,95		1 2 24	17,105
Mr. L. Hall	850	Ditto	Saw Doctor	19-3-21	21-11-23	3,105		2 8 3	32,237
Mr. L. Howarth	750	Ditto	Millwright and Mechanical Engineer.	12-3-21	30-11-22	732		1 8 12	17,861
Mr. R. Dawson	550	Ditto	Cutter and Bit Maker.	13-3-21	..	..		..	19,708
Mr. A. Savage	550	Ditto	Rubber and Weft Bobbin Worker.	1-5-21	28-6-22	2,625		1 1 23	11,948
<i>Wood-Working Institute.</i>									
Mr. L. J. Jagger	550	Ditto	Cooperative Expert	19-3-21	7-11-23	2,380		2 7 20	24,488
Mr. W. Sandler	550	Ditto	Turnery Instructor	19-3-21	16-1-24	2,058		2 9 29	23,219
Mr. F. Salman	550	Ditto	Machine Tool Inspector.	19-3-21	16-1-24	1,675		2 9 29	22,358
Mr. F. A. Quinn	550	Ditto	Wood Finishing Instructor.	30-4-21	16-1-24	338		2 8 16	20,500

* Amounts paid in India.

This information is not available as the passages were arranged by His Majesty's Secretary of State for India.

*55. **Mr. Ashiq Husain Mirza**: What trades connected with the forests are now being pushed by the Utilization circle, Bareilly?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The honourable member is referred to the answer to question No. 50 of today's date.

*56. **Mr. Ashiq Husain Mirza**: What work is now being performed by the Conservator, Utilization circle, for the new companies? Is it a part of the Government agreement that the Government will give the benefit of the services of an officer drawing nearly Rs. 2,000 a month to the new companies? Is this a special case or are all companies in which Government is interested to have similar privileges?

The Hon'ble Raj Sir Muhammad Ali Muhammad Khan: The Conservator of the Utilization circle has been employed in safeguarding the interests of Government in connection with the formation of the companies. He is also to act as liaison officer between the Forest department and the Syndicate in all matters concerning the supplies of raw materials. It is proposed that a Government officer should assist the companies during the initial stages of their operations and in return the companies should pay a contribution to Government revenues which will amount to a substantial part of his salary. It is considered that this arrangement is necessary in the interests of Government itself.

*57. **Mr. Ashiq Husain Mirza**: In reply to my question No. 7(2) in the Council meeting of the 30th January it was stated that the expenditure of this circle will be reduced to a part of the Conservator's salary and that of a few clerks. Will the Government be pleased to state what part is going to be paid by Government, who pays the remaining part, and why? Is the Conservator supposed to be partly a public and partly a private servant?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The question of actual terms is under consideration. Whatever terms may be ultimately settled, the Conservator will remain wholly a Government servant.

Mr. Ashiq Husain Mirza: Is not the Conservator partly paid by the companies?

Mr. H. G. Billson: No.

Mr. Ashiq Husain Mirza: Is it intended that he should be partly paid by the Government and partly by companies?

Mr. H. G. Billson: Yes, as has already been stated in the printed reply.

REPRESENTATION OF AGRA ZAMINDARS IN THE LEGISLATIVE COUNCIL.

*58. **Nawabzada Muhammad Yusuf**: Will the Government be pleased to state what steps it has taken to give effect to the resolution adopted by this Council in March, 1923, recommending an increase in the representation of the zamindars of Agra on this Council from two to four?

The Hon'ble Mr. S. P. O'Donnell: The resolution was forwarded to the Government of India, who have intimated that the Secretary of State has decided that the consideration of the question of the adequacy

of the special representation provided for the zamindars of Agra on the Council must be postponed until a general revision of the franchise takes place.

UNSTARRED QUESTIONS.

CONFERMENT OF APPELLATE POWERS TO SENIOR DEPUTY COLLECTORS

1. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to confer on senior deputy collectors the powers of hearing appeals from the judgments of second class assistant collectors, just in the same way as it has conferred on them the powers to hear appeals from the judgments of second and third class magistrates?

Mr. C. E. D. Peters : Government is not prepared to confer general power on senior deputy collectors to hear appeals from the judgments of second class assistant collectors. Such powers are occasionally conferred as necessity arises under the Oudh Rent Act and under the Land Revenue Act.

PENSION TO PROVINCIAL CIVIL SERVICE OFFICERS.

2. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to recommend to the Government of India that the maximum pension of Rs. 6,000, allowed to the members of the Provincial Civil Service, be attained after an active service of 25 years and not reached by gradual stages after an active service of 30 years?

Mr. E. A. H. Blunt : New pension rules are under consideration by higher authority. This Government have submitted their recommendations, but under standing orders are precluded from stating what they have recommended.

RULES REGULATING THE LEAVE PERIOD AND ALLOWANCES.

3. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to give its reasons for substituting the words "out of Asia" for the words "out of India" for the purposes of rules regulating the leave period and leave allowances?

Mr. E. A. H. Blunt : All rules regarding leave are made by the Secretary of State, and this Government have no definite information regarding the reasons which caused him to adopt the phrases "in Asia" and "out of Asia." A comparison of new and old rules, however, will suffice to show the probable reason. The phrases in question were first used in the amended leave rules which were issued with Government of India's resolution No. 1367-C.S.R., dated the 29th/30th December, 1919, and are reproduced in Fundamental Rules 89 and 90. In both sets of rules they are used in connection with certain rates of leave allowances, i.e., the rate is so many pounds sterling if the leave is spent out of Asia, and so many rupees if the leave is spent in Asia. These rules correspond to such rules in the old Civil Service Regulations (fifth edition, articles 314 and 320). There the distinction drawn is between a rate in pounds sterling "if paid at the Home Treasury of the Government of India" and a rupee rate "if paid in India." Now leave allowances, if the leave be spent in Asia—e.g., in Ceylon or in Arabia—would as a matter of fact be ultimately paid at some treasury in India.

Similarly, leave allowances, if the leave be spent out of Asia, would ultimately be paid at the "Home Treasury of the Government of India," i.e., in England. The change, therefore, amounts to no more than saying the same thing in another way. Further, the phrases referred to do not as a matter of fact take the place of the phrases "in India" and "out of India."

4. **Khan Bahadur Maulvi Fasih-ud-din:** Will the Government be pleased to abolish the distinction between the rules for "in Asia" and those for leave "out of Asia"?

Mr. E. A. H. Blunt: Government have no power to change rules made by the Secretary of State.

HONORARY MAGISTRATES.

5. **Khan Bahadur Maulvi Fasih-ud-din:** Will the Government be pleased to place on the retired list all the life honorary magistrates of more than 60 years of age, and remove all the temporary honorary magistrates of a similar age unless they are certified by a Medical Board to be fit for their work?

Mr. J. R. W. Bennett: Government see no necessity to take the action suggested.

6. **Khan Bahadur Maulvi Fasih-ud-din:** Is the Government aware that the Hon'ble High Court usually passes adverse criticism on the work of the honorary magistrates?

Mr. J. R. W. Bennett: No.

7. **Khan Bahadur Maulvi Fasih-ud-din:** Will the Government be pleased to frame rules regulating the appointment of honorary magistrates and laying down their qualifications for the guidance of District Officers?

Mr. J. R. W. Bennett: Government have issued executive instructions to Commissioners and see no necessity to frame rules on the subject.

8. **Khan Bahadur Maulvi Fasih-ud-din:** Will the Government be pleased to direct all the temporary honorary magistrates to receive training for three months at Moradabad and remove those who refuse to undergo that training, exception being made in the case of retired deputy collectors and honorary magistrates of admitted competency?

Mr. J. R. W. Bennett: Steps have already been taken for the training of some honorary magistrates. Government do not propose to make the training compulsory in all cases.

NON-GAZETTED POLICE OFFICERS.

9. **Khan Bahadur Maulvi Fasih-ud-din:** (a) Is the Government aware that the increments in the rates of pay of non-gazetted police officers have been more niggardly than those in the pay of the officers of similar status in the Judicial and Executive departments?

(b) If so, what steps does the Government intend to take in order to remove the feeling which exists in the ranks of these officers?

Mr. G. B. Lambert: The Governor in Council cannot agree that the increments merit the description applied to them by the honourable member. On the contrary the present rates of pay compare favourably with those of officers of similar status in other departments and, it is

believed, with those prevailing in other provinces. In addition, police officers draw various allowances which are not admissible to officers of other departments.

(b) Does not arise.

ABOLITION OF CERTAIN THANAS.

10. **Khan Bahadur Maulvi Fasih-ud-din :** (a) Is the Government aware that many thanas in the districts of these provinces do not send up more than 50 or 60 cases for trial during a year and a large number of these cases relate to very petty offences, while the number of cases actually convicted do not exceed 20 or 30 or even 6 or 7 throughout the whole year?

(b) If so, will the Government be pleased to abolish these thanas and re-adjust the limits of the remaining police circles?

Mr. G. B. Lambert : (a) There are some police stations in these provinces to which the figures quoted can be applied. The allocation and the distribution of police stations cannot, however, be fixed solely on crime statistics, as other important factors have to be taken into consideration. The general principle accepted in these provinces is that the average area of a police circle should be 150 square miles, with the proviso that the population of the circle should ordinarily lie between 75 to 90 thousand. Various other factors have to be taken into consideration, such as density of population, proportion of criminal classes, natural boundaries (large rivers, unbridged streams) and means of communication. Lastly, it has to be remembered that the duties of the police are concerned with the "prevention" as well as "detection" of crime.

(b) The reallocation and redistribution of police stations is a matter which has been examined by various agencies since the police force of these provinces was first organized in 1860. The matter was very closely considered by the Civil Police Committee of 1919-20, whilst an officer is at the present time on special duty reporting on this very question so far as it affects the Bundelkhand division.

POLICE RETRENCHMENT COMMITTEE REPORT.

11. **Khan Bahadur Maulvi Fasih ud din :** Will the Government be pleased to place on the table the report of the Police Retrenchment Committee?

Mr. G. B. Lambert : A copy of the report of the Police Decentralization Committee, 1923, is laid on the honourable member's table.

ISSUE OF CONCESSION TICKETS.

12. **Dr. Shafa'at Ahmad Khan :** Is it a fact that the railway authorities do not issue concession tickets to students of Dar-ul-Ulum, Deoband and Mazahir-Ulum, Saharanpur, on the ground that they are not recognized institutions?

13. **Dr. Shafa'at Ahmad Khan :** As they contain a very large number of students and are the chief seats of Islamic learning in these provinces will the Government be pleased to represent to the railways concerned the necessity of removing these anomalies?

Mr. A. C. Verrières : The questions are ones which should be put in one of the Chambers of the Central Legislature.

REPORT OF THE FOREIGN SCHOLARSHIPS COMMITTEE.

14. **Dr. Shafa'at Ahmad Khan:** What action do the Government intend to take with regard to the Foreign Scholarships Committee, which held several meetings in Naini Tal in 1921, and drafted a comprehensive scheme of scholarship?

Kunwar Jagdish Prasad: Three foreign scholarships were awarded in the current financial year. It is proposed to award two additional scholarships in 1924-25.

15. **Dr. Shafa'at Ahmad Khan:** Why has the report been shelved?

Kunwar Jagdish Prasad: The report has not been shelved; the honourable member is referred to the answer given to question No. 14.

REPORT OF THE RETRENCHMENT COMMITTEE.

16. **Dr. Shafa'at Ahmad Khan:** Has the Retrenchment Committee drafted its report? If so, why has it not been published yet? When do the Government intend to publish it?

Mr. E. A. H. Blunt: The Economy Committee's report was received on the 21st January, 1924. It has already been published.

CASE AGAINST MR. MUHAMMAD HUSAIN, BAR AT-LAW.

19. **Pandit Nanak Chand:** (1) Was any case under section 419, Indian Penal Code, or 420, Indian Penal Code, instituted at Moradabad against Mr. Muhammad Husain, Bar-at-law? What were the facts leading up to the institution of the case?

(2) Is it a fact that this case has been withdrawn? If so, under what circumstances?

(3) What compensation, if any, has been paid to Mr. Muhammad Husain? Was any assurance or apology demanded or given by the latter prior to the withdrawal of the case?

Mr. J. R. W. Bennett: (1) The Oudh and Rohilkhand Railway complained to the police that Mr. Muhammad Husain, who was the advance agent of a travelling theatrical company, had travelled on a concession ticket issued in favour of a Mr. Khanna, who was a co-connected with the company. The Oudh and Rohilkhand Railway subsequently withdrew their complaint.

(2) The case was withdrawn at the instance of the railway police, who considered that the facts did not constitute fraud. The District Magistrate agreed with the view taken by the police. The accused person never appeared before the court.

(3) So far as is known, no compensation was paid to Mr. Muhammad Husain, nor was any assurance or apology demanded or given.

APPOINTMENT OF HEAD COPYIST.

20. **Pandit Nanak Chand:** Will the Government be pleased to consider the question of appointing the head copyist from amongst the yists, with a view to improve their prospects?

Mr. J. R. W. Bennett: Government is considering the question.

JUNIOR OFFICERS' TRAINING CLASS AT MORADABAD.

21. **Pandit Nanak Chand:** (a) Will the Government be pleased to state the number of persons undergoing training at the Junior Officers' Training class at Moradabad?

(b) How many of these persons belong to the I.C.S. or Provincial Executive Service and how many to various other categories?

(c) Are there any military or political officers under training at Moradabad?

(d) If so, what is their number, and do the said officers or the Government of India make any contribution to the Provincial Government for their training?

(e) If not, will the Government take steps to get a contribution from the Government of India?

Mr. G. B. Lambert: (a) 36.

(b) I. C. S. 2; Provincial Executive Service 20; Political probationers 14.

(c) Yes—the political probationers mentioned above.

(d) The Government of India make a proportionate contribution towards the expenses of the training classes on account of the attendance of the political probationers. In the current year this contribution amounted to Rs. 9,000.

(e) Does not arise.

COPYISTS IN COLLECTORATE.

22. **Pandit Nanak Chand:** (a) Is the Government aware that there is some unrest among the collectorate copyists on account of their service not being made pensionable?

(b) Has the Government received any representations?

(c) Does the Government propose to redress this grievance of the copyists or does it propose to take any other action?

Mr. J. R. W. Bennett: Government is considering the question.

USE OF CANAL BANKS AND DAMS AS ROADWAYS IN BAHERI TAHSIL.

23. **Mr. Ashiq Husain Mirza:** Will the Government be pleased to state—

(1) Is it a fact that the public had the privilege or right till quite recently to use the canal banks and dams as roadways in Baheri tahsil of Bareilly district and that privilege or right had been exercised by the public for some years past without any hindrance?

(2) Is it a fact that owing to some dispute between the Bareilly district board and the Canal department, regarding the repairs, amounting to about Rs. 700 per annum, the public has now been forbidden to use these canal banks and dams?

(3) Is the Government aware that in this semi-Tarai country no roads of any kind exist where this privilege or right was exercised by the public?

- (4) Will the Government be pleased to order the reopening of these canal banks and dams to the public as roadways as heretofore?

The Hon'ble Mr. S. P. O'Donnell: Information is being collected and a reply will be given at a later date.

INCOME FROM COPYING DEPARTMENTS OF REVENUE AND CIVIL COURTS.

24. **Rai Bahadur Thakur Mashal Singh:** Will the Government be pleased to lay on the table a statement showing the income of the copying departments of revenue and civil courts separately for the months of November and December, 1923 and January, 1924 and the corresponding period in 1922 and 1923?

Mr. E. A. H. Blunt: The information is being collected from the district authorities and will be supplied at a later date.

ABOLITION OF THE POST OF SUPERINTENDENT OF POLICE IN CERTAIN DISTRICTS.

25. **Khan Bahadur Maulvi Fasih-ud-din:** Will the Government be pleased to abolish the post of Superintendent of Police in small districts like Pilibhit, Partabgarh, Sultanpur, Bijnor, Muzaffarnagar, Ghazipur, etc., and retain one Superintendent of Police in charge of small districts with light criminal work?

Mr. G. B. Lambert: The Government must first consider the proposal for the abolition of districts contained in the Economy Committee's report.

HEARING OF APPEALS BY COMMISSIONERS.

26. **Khan Bahadur Maulvi Fasih-ud-din.**—Will the Government be pleased to revert to the old practice of allowing Commissioners of divisions to hear appeals from the orders of punishment inflicted upon the non-gazetted police officers by the Superintendents of Police with the concurrence of the District Magistrates instead of the present practice of allowing these appeals to be heard by the Deputy Inspector-General of Police?

Mr. G. B. Lambert: The proposal is contrary to the policy of Government, which has recently sanctioned a revision of the procedure relating to matters of discipline in the police, with a view to giving the Deputy Inspector-General a more complete responsibility in regard to the non-gazetted staff. Government is not prepared to consider any change until the new system has been given a fair trial.

OFFICERS IN THE INDUSTRIES DEPARTMENT.

27. **Khan Bahadur Maulvi Fasih-ud-din:** Will the Government be pleased to state how many officers, getting Rs. 200 and over in the Department of Industries, possess expert knowledge of industries or had any special training in their work?

Anwar Jagdish Prasad: If the honourable member will specify precisely the kind of knowledge and training to which he refers, Government will endeavour to furnish the necessary information.

PAPIER MACHÉ INDUSTRY, BUDAUN.

28. Khan Bahadur Maulvi Fasih-ud-din : (a) Is the Government aware that there exists in Budaun town a very old and useful papier-maché industry which is now in a declining condition for want of impetus?

(b) If so, what steps does the Government intend to take to sustain and improve this industry?

Kunwar Jagdish Prasad : (a) Yes.

(b) Government are making inquiries with a view to giving such assistance to the industry as may be feasible.

PERIPATETIC AND STATIONARY WEAVING SCHOOLS.

92. Khan Bahadur Maulvi Fasih-ud-din : Will the Government be pleased to furnish a list of peripatetic and stationary weaving schools for the last three years with the annual cost of each and the number of students which each of these schools turned out each year?

Kunwar Jagdish Prasad : A reply will be given at a later date.

30. Khan Bahadur Maulvi Fasih-ud-din : Will the Government be pleased to state whether these schools have succeeded in replacing the *kargha* to an appreciable extent by the automatic loom? If not, will the Government be pleased to reconsider its policy as to the scope of these schools?

Kunwar Jagdish Prasad : Yes. A considerable number of automatic looms are working near places where weaving schools exist or existed. It is chiefly due to the demonstration and instructional work of these schools that about 400 automatic looms are working at Tanda, 3,000 at Mau, 800 at Ghosi, 200 at Mubarakpur, 300 at Etawah, 500 at Moradabad, and at Shahjahanpur also. Automatic hand-loom factories also are gradually springing up.

SCHOOL FOR THE MANUFACTURE OF GLASSWARE.

31. Khan Bahadur Maulvi Fasih-ud-din : Will the Government be pleased to establish a school for teaching the manufacture of glassware at some suitable place in the province in order to promote the cottage industry of this kind which exists in some villages of Bijnor and other districts?

Kunwar Jagdish Prasad : Government will consider the suggestion.

AGRICULTURAL FARMS.

32. Khan Bahadur Maulvi Fasih-ud-din : Will the Government be pleased to state what useful purpose do the experimental agricultural farms serve in the matter of popularizing the new methods of agriculture?

Kunwar Jagdish Prasad : The honourable member is referred to Chapter IV of the Annual Administration Report of the department of Agriculture for the year ending 30th June, 1923, for a statement of the work done by experimental agricultural farms.

33. Khan Bahadur Maulvi Fasih-ud-din : Will the Government be pleased to place on the table a list of these farms with a statement of the income from, and the expenditure over, them, during the last year?

Kunwar Jagdish Prasad : The detailed balance sheets of all farms are given in appendices V to VD, and a summary is given in Chapter IV, paragraph 33, of the Annual Administration Report of the department of Agriculture for the year ending 30th June, 1923, to which the honourable member is referred.

TUBE WELL IN VILLAGE KISARUA, BUDAUN.

34. **Khan Bahadur Maulvi Fasih-ud-din :** (a) Will the Government be pleased to state why the tube-well in village Kisarua, district Budaun, has been allowed to be discontinued ?

(b) Is it a fact that it has failed as a going concern ?

Kunwar Jagdish Prasad : (a) The well has not been discontinued, but was under repair last year. The repairs have now been completed and the well is ready for use.

(b) The answer is in the negative.

INCREASE IN THE PAY OF TEACHING STAFF OF INTERMEDIATE COLLEGES.

35. **Khan Bahadur Maulvi Fasih-ud-din :** If the system of intermediate colleges is to be maintained, will the Government be pleased to increase the pay of the teaching staff in order to secure a fair standard of efficiency ?

Kunwar Jagdish Prasad : Government consider the present rates of pay adequate.

GRANT OF FUNDS TO DISTRICT BOARD, BUDAUN.

36. **Khan Bahadur Maulvi Fasih-ud-din :** (a) Is the Government aware that the district board of Budaun has stopped the construction of new metalled roads, as it has no money for improvements of any sort ?

(a) If so, is the Government prepared to supplement its funds by loan or grant ?

Mr. G. B. F. Muir : (a) Government has no information.

(b) Government is not in a position to give grants for such roads, but an application for a loan will receive consideration provided that the board can establish its ability to repay the loan and to provide the necessary funds for the upkeep of the new roads.

REMOVAL OF EMBARGO ON MUHAMMADAN VOTERS OF DISTRICT BOARDS.

37. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to remove the embargo on the Muhammadan voters of the district boards as regards their residence within the geographical limits of polling circles ?

Mr. G. B. F. Muir : The suggestion involves the amendment of the District Boards Act. In view of the amending Bill on this subject, notice of which has been given by a private member, Government are not prepared at present to make any pronouncement of policy.

PROVINCIALIZATION OF MUNSARIMS.

38. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to provincialize the post of the munsarim of the Judge's court

in order to ensure the transfer and promotion of these officers more easily?

Mr. J. R. W. Bennett : The honourable member is referred to the answer given to question No. 37 asked at the Council meeting of the 13th November, 1922.

39. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to throw open some avenues for the promotion of the munsarims of the Judge's court?

Mr. J. R. W. Bennett : There are no avenues which are known to be available and suitable for the purpose.

EXERCISE OF POWERS BY HONORARY MAGISTRATES, MUNSIKS, AND ASSISTANT COLLECTORS.

Khan Bahadur Maulvi Fasih-ud-din : Will the Government be pleased to forbid the exercise of more than one class of powers in the case of Honorary Magistrates, Honorary Muniks, and Honorary Assistant Collectors?

Mr. J. R. W. Bennett : Government is not aware that any general inconvenience is experienced from the combination of such powers and at present sees no necessity to prohibit their combination.

LISTED POSTS.

41. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to state what action, if any, it intends to take as regards the resolution unanimously passed by this Council in February, 1923 about the addition of two more listed posts of Magistrate and Collector to the cadre of the Executive Provincial Civil Service?

Mr. G. B. Lambert : The report of the Royal Commission on the Superior Civil Services will first be awaited.

42. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to offer to a member of the Bar the next vacancy in the seven posts of District Judge held by members of Provincial Judicial Service?

Mr. G. B. Lambert : The honourable member is referred to the answer to unstarred question No. 26 of January 30, 1924.

SARDA CANAL IN BUDAUN.

43. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to state if it has in view the extension of the Sarda canal in the district of Budaun? If not, what are the reasons? If the canal is at all to be extended to the district of Budaun, what portions of the district is it likely to command?

The Hon'ble Mr. S. P. O'Donnell : The district of Budaun, lying as it does to the south of the Ramganga river, is outside the tract commanded by the Sarda Canal.

REPRESENTATION OF TENANTS IN THE LEGISLATIVE COUNCIL.

44. **Khan Bahadur Maulvi Fasih-ud-din :** Is the Government prepared to undertake legislation for providing a special constituency in each district or group of districts in order to enable the tenants to send their representative to the Legislative Council or to at least provide for their representation by means of nomination?

Mr. J. R. W. Bennett : The answer is in the negative. Government have no power to undertake legislation of the kind suggested. Moreover,

since the tenants constitute the bulk of the electorate, the present rules under the Government of India Act contain ample provision for their representation.

DISTRICT BOARD LIBRARIES IN TAHSILS.

45. **Khan Bahadur Maulvi Fasih-ud-din** : Will the Government be pleased to direct the district boards to provide a reading library at the headquarters of each tahsil as a part of their educational programme.

Kunwar Jagdish Prasad : It is proposed to assist, during 1924-25, as an experimental measure, three district boards to establish vernacular school libraries, subject to the provision made for the purpose being passed by the Council. The question of extending the scheme to other districts will be considered when the experiment in the three districts has had a trial and when funds can be made available for the purpose.

SUBORDINATE JUDGES IN SELECTION GRADE

46. **Khan Bahadur Maulvi Fasih-ud-din** : Will the Government be pleased to state when it intends to appoint a fourth Subordinate Judge to the selection grade in the Province of Agra ?

Mr. G. B. Lambert : An addition to the selection grade is contingent on an increase in the whole cadre. Provision for the latter has been made in next year's budget from July, 1924. The appointments will be made if the item is voted by the Council.

47. **Khan Bahadur Maulvi Fasih-ud-din** : Will the Government be pleased to place on the table a list of the Subordinate Judges of the Agra Province who have been appointed to the selection grade since its creation in 1919 ?

Mr. G. B. Lambert : The list is attached.

List of Subordinate Judges of the Agra Province who have been appointed to the selection grade since its creation in 1919.

Name.	Date of appointment.	Remarks
1. Bai Bahadur Babu Lal Gopal Mukharji.	1st December, 1919.	
2. Bai Bahadur Babu Gopal Das Mukharji	Ditto.	
3. Babu Partab Singh..	Ditto.	
4. Babu Baij Nath Das ..	10th June, 1921 ..	Appointed, vice Bai Bahadur Babu Lal Gopal Mukharji, confirmed as District and Sessions Judge.
5. Babu Jotendra Mohan Basu ..	16th July, 1922 ..	Appointed, vice Bai Bahadur Babu Gopal Das Mukharji, confirmed as District and Sessions Judge.
6. Babu Kshirod Gopal Banarji ...	6th June, 1923 ..	Appointed, vice Babu Partab Singh, confirmed as District and Sessions Judge.
7. Pandit Hari Har Lal Bhargava	1st July, 1923 ..	Appointed, vice Babu Baij Nath Das, confirmed as District and Sessions Judge.

48. **Khan Bahadur Maulvi Fasih-ud-din :** (a) Will the Government be pleased to state if there is any racial bar to the promotion of a Muhammadan Subordinate Judge to the selection grade in the Agra Province ?

(b) If not, will the Government be pleased to recommend to the Hon'ble High Court to offer the next vacancy in the selection grade to a Muhammadan Subordinate Judge ?

Mr. G. B. Lambert : (a) The answer is in the negative.

(b) The issue of such a recommendation hardly seems to arise from the answer to part (a) of the question. Promotion to the selection grade must continue to be based on merit and seniority, and not on communal claims.

JUDGES' COURT PLEADERS.

49. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to advise the Hon'ble High Court to restore to the Judges' court pleaders the right of appearing before the courts of districts other than those for which they have been enrolled after securing the usual permission ?

Mr. J. R. W. Bennett : A reply will be given later.

INFORMATION AS TO QUESTIONS ASKED AT PREVIOUS MEETINGS.

Answers with reference to starred questions Nos. 12 to 18 asked by MR. MUKANDI LAL at the Council meeting of the 28th January, 1924

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : * 15. A statement is laid on the table.†

* 16. None.

* 17 and 18. In Garhwal three months', and in Almora four months', rigorous imprisonment, both offences consisting of setting fire to forests, convictions being under section 25 of the Forest Act. In Naini Tal three months' rigorous imprisonment for cutting and converting 222 trees in protected forests into charcoal for purposes of sale. This conviction was under section 32 of the Forest Act.

† *Statement showing the offences under the Forest Act in the districts of the Kumaun division in the years 1920, 1921, 1922, and 1923.*

District.				1920.	1921.	1922.	1923.
Garhwal	..	.	..	39	302	49	108
Almora	..	..	..	61	698	460	394
Naini Tal	..	..	..	23	281	52	85

Answer with reference to starred questions Nos. 23, 24, 25, 26 and 27 asked by MR. MUKUNDI LAL on the 28th January, 1924.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Inquiry is being made and a reply will be given later.

Mr. Mukundi Lal: Is there any time-limit to these inquiries?

The Hon'ble the President: I may state that on the last day of the session in March before prorogation all outstanding questions will again be put on the paper, so that Government may reply on that day. Some of these questions naturally take a long time to inquire into, particularly Kumaun questions. As the honourable member knows, owing to difficulty of communications their replies generally take from three to six weeks to come here. I will put on the paper all questions outstanding on the last day of the session so that no question will remain over before the prorogation.

Answer with reference to starred question No. 1 asked by THAKUR MOTI SINGH on the 30th January, 1924.

The Hon'ble Mr. S. P. O'Donnell: Since March, 1923, there have been two attempts to hold meetings at the Town Hall. One was prohibited under section 144, Criminal Procedure Code, and the other was abandoned when it became known that the District Magistrate was prepared to pass similar orders again. There has been no subsequent attempt to hold a meeting there, and no further action has been necessary.

Answer with reference to starred question No. 2 asked by THAKUR MOTI SINGH on the 30th January, 1924.

The Hon'ble Mr. S. P. O'Donnell: As even a small meeting means an almost complete stoppage of ordinary traffic, the District Magistrate does not propose to allow public meetings to be held at the Town Hall. It is, however, a fact that no religious or non-political meetings have been suggested.

Answer with reference to starred question No. 3 asked by THAKUR MOTI SINGH on the 30th January, 1924.

The Hon'ble Mr. S. P. O'Donnell: About eighty meetings were held in the two years previous to February, 1922 and five meetings subsequently.

Answer with reference to starred question No. 4 asked by THAKUR MOTI SINGH on the 30th January, 1924.

The Hon'ble Mr. S. P. O'Donnell: Yes. The question of prohibiting meetings at the Town Hall was widely discussed by the District Magistrate with both officials and non-officials, and opinion was agreed that meetings at this place were an intolerable nuisance.

Pandit Brijnandan Prasad Misra: Will the honourable member kindly tell me if any complaint was made by the inhabitants of the place?

The Hon'ble Mr. S. P. O'Donnell: I would refer the honourable member to what I have just said in answer, I think, to question No. 4.

Pandit Brijnandan Prasad Misra : Will the Government inform the Council who were the gentlemen on the non-official side with whom the question was discussed ?

The Hon'ble Mr. S. P. O'Donnell : I do not know.

Pandit Brijnandan Prasad Misra : Will the Government make inquiries and inform the Council ?

The Hon'ble Mr. S. P. O'Donnell : I see no reason to make such inquiries.

Answer with reference to starred question No. 5 asked by THAKUR MOTI SINGH on the 30th January, 1924.

The Hon'ble Mr. S. P. O'Donnell : The honourable member is referred to the answer to question No. 3 of today's date.

Answer with reference to starred question No. 6 asked by THAKUR MOTI SINGH on the 30th January, 1924.

The Hon'ble Mr. S. P. O'Donnell : Yes. A typed copy of the District Magistrate's letter to Mr. Iswar Saran is placed on the honourable member's table.

Copy of a letter, dated the 7th September, 1923, from MR. E. F. OPPENHEIM, District Magistrate, Bareilly, to MR. ISWAR SARAN SAHIB, M.L.A., referred to in the answer to starred question No. 6 asked by THAKUR MOTI SINGH on 30th January, 1924.

Your letter of today reached me this moment. I understood that your friends had arranged to hold the meeting elsewhere, and that due notice to this effect has been given. Everyone in Bareilly knows that no public meetings are allowed at the Town Hall. I had already issued a formal notice to this effect in May, when it was proposed to hold a meeting there.

Subsequently, I discussed the subject in detail with many people, both officials and non-officials. My considered opinion was given in the letter to the Chairman, Municipal Board, dated the 16th July, an extract of which I quote :—

“ Mr. Horton and I both thought that the grounds in question were unsuitable for a public meeting. Meetings there attract ‘undesirables’ and loafers. Also they cause obstruction to the public, who are pursuing their ordinary avocations. Of course, no sensible man would make a formal complaint of such obstruction. But that it occurs, I have no doubt.”

I sincerely hope that, in the circumstances stated by me, it will not be necessary for me to issue a formal notice of prohibition under section 144. I should very much regret to have recourse to this procedure in regard to a meeting which has been convened by so many prominent citizens of Bareilly, and which is to be addressed by such a well-known public man as yourself.

Answer with reference to starred question No. 7 asked by THAKUR MOTI SINGH on the 30th January, 1924.

The Hon'ble Mr. S. P. O'Donnell : The honourable member is referred to the answer to question No. 3 of today's date. There was no disturbance at these meetings.

Answer with reference to starred question No. 8 asked by THAKUR MOTI SINGH on the 30th January, 1924.

The Hon'ble Mr. S. P. O'Donnell : (a) The honourable member is referred to question No. 3 of today's date. No further information is available.

(b) All these meetings caused obstruction and annoyance to persons passing on their lawful employments.

Answer with reference to starred question No. 16 asked by PANDIT BHAGWAT NARAYAN BHARGAVA at the meeting of the 30th January, 1924.

The Hon'ble Mr. S. P. O'Donnell : (a) The answer is in the negative. The posting of an additional officer to Lalitpur by the Collector depends on the strength of the district staff. As a rule, there are fewer officers available in the hot weather, as leave is more freely taken during that season.

(b) Does not arise.

*Answers to with reference to starred questions Nos. *1 to 12 asked by RAI BAHADUR BABU VIKRAMAJIT SINGH at the Council meeting of the 31st January, 1924.*

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : 1, 2, 4, 5, 6, and 8. The answer is in the affirmative.

3 No office is actually attached to the room used by the Munsif for his court, but his office is in the same building as this court.

7. The Collectorate contains only seven rooms originally designed as court rooms. When the number of courts exceeds the number of court rooms other accommodation is used. One Honorary Magistrate uses the Collector's retiring room and the Honorary Assistant Collector sits in the Collector's court room.

9. Bricks were once purchased for the purpose. Government has not received information of any timber having been purchased.

10. The bricks are being used on other works.

11. A project for the construction of a block containing four additional court rooms and for making certain additions and alterations in the main collectorate building has been administratively sanctioned. The work will be taken in hand when and if plans and estimates have been prepared and funds allotted.

12. Government would be glad to consider any definite suggestions the honourable member may like to make, but the whole question of new buildings must depend on funds.

Rai Bahadur Babu Vikramajit Singh : Will the Government be pleased to refer this matter to the District Judge and the District Magistrate of Cawnpore in order to invite their opinion on the suggestion made in question No. 12.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Government will consider the suggestion.

Answer with reference to unstarred question No. 13 for the 29th January, 1924, asked by MR. ASHIQ HUSAIN MIRZA.

Kunwar Jagdish Prasad : (1) Rupees 70,210.

(2) Rupees 1,39,911.

(3) Rupees 500—50—750 per mensem: the present incumbent of the post is now drawing Rs. 700 in this scale. Besides the Principal, only one European has been employed at the school in the last five years: he served the school for less than two years, and has now left it.

(4) One hundred and thirty-eight. The number of those who are to receive scholarships is fixed by the Advisory Committee of the school, not by Government which only sanctions the total provision to be made to the school for expenditure on scholarships. Government sanctioned a total provision of Rs. 9,676 last year for this purpose, and the Advisory Committee of the school decided to utilize this in awarding 74 scholarships, of all kinds, monthly to students who earn them by good monthly attendance and work and whose financial circumstances justify their receiving them.

(5) Rupees 450—50—1,250 per mensem: the present incumbent of the post is at present drawing Rs. 950 per mensem in this scale. In the last five years seven Europeans have on the average been employed, at a total pay of Rs. 12,120 in 1918-19, Rs. 17,412 in 1919-20, Rs. 26,836 in 1920-21, Rs. 60,539 in 1921-22, and Rs. 71,154 in 1922-23.

(6) Rupees 8,02,987, inclusive of capital expenditure.

(7) Rupees 5,23,325, but it should be explained that this includes large expenditure on experiments with different kinds of timber.

(8) One hundred and fifty, of whom about 112 are in receipt of scholarships. Scholarships are awarded only to students whose work and conduct are satisfactory.

*Answer with reference to unstarred question No. 14 asked by
MR. ASHIQ HUSAIN MIRZA on the 29th January, 1924.*

Kunwar Jagdish Prasad: (1) On October 1, 1918.

(2) On June 22, 1917.

(3) On April 3, 1923.

(4) The first because it was desired to use the institution for experimental work on the utilization of timbers; and the second both because it was thought that re-transfer would secure economy and because it was desired to use the institution as an educational one rather than as a place of experiment and research.

(5) The changes themselves cost nothing, but the cost under the Forest department was much higher. Before its transfer in 1918 it cost on an average Rs. 47,006 per annum to maintain the institute, but after its transfer to the Forest department, which used the institute for different purposes, the average annual cost rose to Rs. 5,23,325, inclusive of capital expenditure.

*Answer with reference to unstarred question No. 15 asked by
LALA BABU LAL on the 29th January, 1924.*

Kunwar Jagdish Prasad: The honourable member is referred to the reply given to unstarred question No. 3 for the 30th January, 1924.

*Answer with reference to unstarred question No. 16 asked by
LALA BABU LAL at the meeting of the 29th January, 1924.*

Kunwar Jagdish Prasad: (a) Government have not defined the provincial key industries; within the limits imposed on them by financial

conditions they endeavour to promote all important industries of the provinces. As examples of steps taken by them in 1923 may be mentioned the work done by the Industrial Chemist to Government in examining specimens submitted to him by manufacturers, and the experimental and analytical work performed at the laboratories of the Technological Institute, Cawnpore.

(b) The Board of Industries and the Board of Loan Commissioners are the two principal expert agencies appointed by Government to assist in the promotion and preservation of provincial industries. These Boards contain many non-officials; but for precise information as to their composition the honourable member should refer to Industries department resolutions Nos. 452/XVIII—159 and 1142/XVIII—224, dated February 23, 1921, and July 20, 1922. Government also receives assistance from the Upper India and the United Provinces Chambers of Commerce, which it consults on all matters connected with the preservation and expansion of industries. Over and above this, advisory committees, composed mainly of non-officials, with expert knowledge, are attached to all the institutions which Government maintains for imparting instruction in industries practised in these provinces.

(c) Beyond the annual administration report of the Director of Industries, Government at present publish only the industrial survey reports of each district as completed.

*Answer with reference to unstarred question No 3 asked by
MR. ASHIQ HUSAIN MIRZA on the 30th January, 1924.*

Kunwar Jagdish Prasad :—(1) rupees 11,12,300 distributed over the three years as follows Rs. 300 in 1921-22; Rs. 11,12,000 in 1922-23; nil in 1923-24 up to date.

(2) A statement giving the required information is placed on the honourable member's table.

(3), (4) and (5) Loans are repayable by instalments. In some cases the payment of instalments has been postponed after proper steps for their ultimate recovery had been taken. The securities which have been taken are either personal, or movable or immovable property, or a variation of these, after due inquiry through reliable sources. Government do not consider that any re-valuation of these securities either by a non-official committee or otherwise is called for.

(6) (a) In two cases only; the reports are confidential.

(b) No, but under the instructions of the Director of Industries the Divisional Superintendents of Industrial Survey watch the utilization of loans and grants, and report quarterly to the Director on the position of each loan and grant. The reports are confidential.

(7) The honourable member is referred to the answer to part 6 (b) of this question.

(8) A statement of the non-recurring grants made is attached. For information about recurring grants the honourable member is referred to the Director's annual administration reports.

(9) Eight such applications for loans and eight for grants were received. Six of the former were rejected, and in the case of the other two inquiries are proceeding. Of the applications for grants, four

were rejected and four sanctioned, the amounts being Rs. 3,500, Rs. 2,000, Rs. 1,195, and Rs. 1,650.

STATEMENT 1.

No.	Amount of loan.	To whom granted. (In the case of companies, names of principal Directors are given)	Purpose of loan.
1	Rs. 300	Mr. Hari Datt Joshi of Almora ..	For the purchase of a knitting machine.
2	12,000	Inks Factory, Cawnpore (Mr. B. B. Shukla).	For the manufacture of lithographic inks.
3	1,00,000	United Provinces Glass Works, Bahjoi (Mr. I. D. Varshnei).	For the manufacture of sheet and plate glass.
4	6,00,000	Lucknow Sugar Works, Lucknow (Messrs. Kamta Prasad, Kesar Prasad, and Ramohwar Prasad).	For the completion and working of the works.
5	4,00,000	Karundia Industrial Development Corporation, Lucknow (Flour Mills, Lucknow) (Messrs. Kamta Prasad, Kesar Prasad and Ramohwar Prasad).	For the completion and working of the mills

STATEMENT 2.

Non-recurring grants.

1921-22.

	Rs.	a.	p.
1. Mr. Gokhale, ex-student, Central Weaving Institute, Benares, for completing a machine for manufacturing gold lace.. ..	1,000	0	0
2. Arya Samaj Orphanage, Bareilly, for the purchase of carpentry and weaving apparatus	2,000	0	0
3. S. P. G. Mission School, Roerkee, for equipping a leather section ..	833	5	4
4. Agra Pencil Factory, Agra, for the installation of additional machinery and carrying on research work	4,000	0	0
5. Miss Violet Latham Memorial Hosiery School for purchasing one flat and one round Harrison knitting machines	1,000	0	0
6. Home for Women in Distress, Benares, for purchasing, Singer Sewing machine with accessories	200	0	0
7. Mr. Fida Ali, Muzaffarnagar, for setting up a polishing and plating plant for Moradabad hollow ware	3,500	0	0
8. Arya Samaj Orphanage, Bareilly, for equipment of two sewing and two hosiery machines	900	0	0
9. Vaish Orphanage, Meerut, for carpentry and sewing equipment ..	700	0	0
Total ..	13,688	5	4

1922-23.

	R.	S.	P.
1. Scientific Instrument Co., Allahabad, for the purchase of machinery	2,100	0	0
2. Radhaswami Dayal Bagh Institute, Agra, for perfecting a hand loom weaving machine	2,000	0	0
3. The Hindustan Central Co-operative Societies, Ltd., to enable the Stores to meet the preliminary expenses	2,000	0	0
4. Collector of Mainpuri, for reviving the wire inlaying classes opened at the Lal Singh Man Singh School	350	0	0
5. Manager, Islamia High School, Etawah, to enable the school to add a carpentry section	2,000	0	0
6. Manager, Central Co-operative Bank, Sandila, to enable the Bank to employ an efficient mistri	600	0	0
7. The Manager, Takhana Brothers, Pilibhit, to carry on experiments in the manufacture of ink, hair-dye, boot-polish, etc.	500	0	0
8. The Manager, St. Francis' Industrial School, Sardhana, Meerut, for the purchase of machinery for weaving and carpentry sections	500	0	0
9. Babu Mahabir Prasad Gupta, ex-Government Technical scholar of Bindki, district Fatehpur, for the purchase of machinery for an oil press	1,100	0	0
10. Manager, Wesleyan Mission Industrial School, Benares, for the purchase of equipment and tools	200	0	0
11. Manager, Muslim Weaving School, Aligarh, for the purchase of machinery for weaving section	1,100	0	0
Total	15,100	0	0

1923-24 (up to date).

1. Model Industry, Agra, for the invention of fibre machine	2,000	0	0
2. Carpentry School, Pilibhit, for tools and equipment for the school	1,700	0	0
3. S. S. Memorial School, Chandausi, for equipment for commercial classes	800	0	0
4. Young Men's Christian Association, Allahabad, for equipment for commercial classes	500	0	0
5. Wesleyan Mission Industrial School, Benares, for the purchase of equipment	100	0	0
6. St. Joseph's Orphanage, Agra, for the purchase of sewing and knitting machines	250	0	0
7. Placed at the disposal of the Director of Industries, for starting experimental industrial schools at Moradabad, Saharanpur, Khurja, and Nagina	2,950	0	0
8. Purchase of a sizing machine to be demonstrated in industrial schools	2,000	0	0
9. Islamia Orphanage, Bareilly, for equipment of carpentry and tailoring classes	1,000	0	0
10. Dayanand Orphanage, Lucknow, for tools and equipment	1,000	0	0
Total	14,180	0	0

Answer with reference to unstarred question No. 4 asked by Mr. ASHIQ HUSAIN MIRZA on the 30th January, 1924.

Kunwar Jagdish Prasad : Two scholarships have been given by this Government for such training outside India in the last three years; none for training within it. A large number of scholarships and stipends has of course been given at the Technological Institute and at the

provincial industrial schools, but Government presume that the honourable member does not desire information about these.

Mr. Rama Charan was awarded a scholarship of the value of £250 per annum, tenable for two years, in 1922-23, and proceeded to Sheffield University for training in the manufacture of glass. Mr. Raghubar Dat Pant was awarded a scholarship of the value of £240 per annum, tenable for two years, in 1923-24, and proceeded to the Manchester College of Technology, for the study of textile dyeing, printing, and bleaching.

Four out of the 56 applications for the 1922-23 scholarship and four out of 33 for that of 1923-24, were from Muhammadans.

Answer with reference to unstarred question No. 5 asked by MR. ASHIQ HUSAIN MIRZA on the 30th January, 1924.

Kunwar Jagdish Prasad: (1) The total actual expenditure in 1916-17 was Rs. 3,17,931, and in 1922-23 (excluding the Stores Purchase department) Rs. 8,31,278.

(2) The answer to this question is—"Yes" for the year 1916-17 and "No" for the year 1922-23.

(3) Rupees 47,006 in 1916-17, and Rs. 3,38,178 in 1922-23.

(4) Rupees 19,222.

(5) No. In the early days of the department there were some complaints, but the causes have been removed.

(6) Only two, where action had to be taken.

Answer with reference to unstarred question No. 14 for the Council meeting of the 30th January, 1924, asked by PANDIT BHAGWAT NARAYAN BHARGAVA.

Mr. J. R. W. Bennett: The following statement gives the information required;—

Statement showing the number of contested suits decided by the courts given below in 1922 and 1923.

Court.	Number of contested suits decided.		Decreed in full or in part.		Dismissed.	
	1922.	1923	1922.	1923.	1922.	1923.
Judge, Cantonment Small Cause Court, Jhansi.	45	31	35	27	10	4
Subordinate Judge, Jhansi, under Small Cause Court powers.	196	276	154	229	42	47
Subordinate Judge, Jhansi, under ordinary procedure.	228	181	159	112	69	39
Munsif, Jhansi	378	369	327	328	51	41

Answer with reference to unstarred question No. 18 asked by HAFIZ HIBAYAT HUSAIN, on the 30th January, 1924.

Mr. G. B. F. Muir: Answer to the first two parts of the question is in the affirmative. The Government is not concerned with the road, which is a local road, nor is it in view of the present financial condition of the Fatehpur district board prepared to ask it to metal the road.

Answer with reference to unstarred question No. 19 asked by HAFIZ HIDAYAT HUSAIN at the Council meeting of the 30th January, 1924.

Mr. A. C. Verrières: Yes. In view of the present financial condition of the local boards of Fatehpur, the Government is not prepared to issue the orders suggested.

Answer with reference to unstarred question No. 30 asked by THAKUR MOTI SINGH at the Council meeting of the 30th January, 1924.

Mr. G. B. Lambert: No riot was reported. There was apparently some dispute between the thekadar and certain passengers, and three complaints under section 323, Indian Penal Code, were filed in court. All were compromised.

Answer with reference to unstarred question No. 31 asked by THAKUR MOTI SINGH at the Council meeting of the 30th January, 1924.

Mr. G. B. Lambert: Only two cases of injury to Hindus were reported.

Answer with reference to unstarred question No. 32 asked by THAKUR MOTI SINGH at the Council meeting of the 30th January, 1924.

Mr. G. B. Lambert: The Joint Magistrate made inquiries and attributed the quarrel to the thekadar's attempt to exact more than was legally due.

Answer with reference to unstarred question No. 33 asked by THAKUR MOTI SINGH at the Council meeting of the 30th January, 1924.

Mr. G. B. Lambert: (a) Three reports under section 323, Indian Penal Code, and one under section 325, Indian Penal Code, were made by passengers, and two reports were made by the thekadar.

(b) No investigation was made by the police, but a sub-inspector and two constables were sent to the ferry to preserve order.

Answer with reference to unstarred question No. 34 asked by THAKUR MOTI SINGH at the Council meeting of the 30th January, 1924.

Mr. G. B. Lambert: No case was proved and no formal complaint was made. The ferry is under the Public Works department. The Executive Engineer was moved to take action, and did so, with the result that the lessee has resigned.

Answer with reference to unstarred question Nos. 35 and 36 asked by THAKUR MOTI SINGH at the Council meeting of the 30th January, 1924.

Mr. G. B. Lambert: There is a list containing 193 entries. The entries mostly relate to registers and papers connected with volunteer activities. It would serve no purpose to print this long list for the honourable member's information.

Answer with reference to unstarred question No. 37 asked by THAKUR MOTI SINGH at the Council meeting of the 30th January, 1924.

Mr. G. B. Lambert : The property has been disposed of in accordance with the provisions of Chapter XLIII of the Code of Criminal Procedure. Some articles have been restored to claimants ; some have been sold and some destroyed.

Answer with reference to unstarred question No. 38 asked by THAKUR MOTI SINGH at the Council meeting of the 30th January, 1924.

Mr. G. B. Lambert : The procedure prescribed by section 103 of the Code of Criminal Procedure was followed. No receipt was asked for under sub-section 3 of that section, and none was given.

Answer with reference to unstarred question No. 6 asked by BABU NEMI SARAN JAIN on the 31st January, 1924.

Mr. J. R. W. Bennett : A statement which has been received from the Jail department giving the information asked for is laid on the table.

Statement referred to in answer to unstarred question No. 6 of the 31st January, 1924.

Name of prisoner.	Name of jail in which confined.	Sections of the law under which imprisoned.	Term of imprisonment.	Portion of sentence undergone.	Treatment in jail.
1. Abdul Karim ..	Agra Central Prison ..	124A, Indian Penal Code, and 22, Prisons Act.	One year and 9 months' rigorous imprisonment.	Y. m. d 1 2 5	Ordinary.
2. Jag Lal ..	Ditto	124A, Indian Penal Code	Three years' rigorous imprisonment.	1 11 18	Do.
3. Ali Muhammad Siddiqi ..	Allahabad Central Prison	122 & 121A, Indian Penal Code.	Transportation for life.	6 6 24	Do.
4. Obandra Dhar ..	Ditto	120A & 121A, Indian Penal Code.	Five years' rigorous imprisonment.	2 8 23	Do.
5. Satshitand ..	Ditto	142/228 & 149/124, Indian Penal Code.	Three years' rigorous imprisonment.	2 0 23	Do.
6. Shih Oharan Lal ..	Bareilly Central Prison	121, Indian Penal Code ..	Four years' six months' and 24 days' rigorous imprisonment.	3 0 17	Do
7. Swami Kumura Nand ..	Ditto	124A, Indian Penal Code	Four years' rigorous imprisonment.	1 10 13	Do
8. Muhammad Mujtaba ..	Ditto	121A, Indian Penal Code	Transportation for life	6 6 25	Do
9. Sheo Pher Singh ..	Benares Central Prison	124A and 123, Indian Penal Code.	Two years' rigorous imprisonment and 18 months' more	1 4 27	Do
10. Jagdamba Prasad ..	Ditto	124A, Indian Penal Code.	Two years' rigorous imprisonment and 18 months' more	6 6 20	Do

11. Durga Dutt Pande ..	Almora District Jail ..	117 and 117, Indian Penal Code.	One year's simple imprisonment and Rs. 100 fine or three months' more simple imprisonment in addition to each case. Sentences to run concurrently.	0 5 25	Do.
12. Baij Nath ..	East District Jail ..	108, Criminal Procedure Code.	One year's simple imprisonment.	0 4 0	Do.
13. Dargahi ..	Ditto ..	Ditto ..	Ditto ..	0 1 5	Do.
14. Jagdish Prasad Tewari ..	Benares District Jail ..	Ditto ..	One year's rigorous imprisonment.	0 9 6	Do.
15. Sidh Gopal ..	Cawnpore District Jail ..	101A, Indian Penal Code..	One year and six months' rigorous imprisonment and Rs. 100 fine or six months more rigorous imprisonment.	0 0 5	Do.
16. Badal Ram ..	Etah District Jail ..	108, Criminal Procedure Code.	One year's (3) imprisonment.	0 9 25	Do.
17. Raghuo Das ..	Fyzabad District Jail ..	Ditto ..	One year's rigorous imprisonment.	0 11 20	Do.
18. Arjun Singh ..	Jhansi District Jail ..	101A and 103A, Indian Penal Code.	One year's rigorous imprisonment under Section 101A, Indian Penal Code, and three months' rigorous imprisonment under Section 103A, Indian Penal Code. Sentences to run concurrently.	0 2 10	Do.

Statement referred in answer to unstarred question No. 6 of the 31st January, 1924—(concluded).

Name of prisoner.	Name of jail in which confined.	Section of the law under which imprisoned.	Terms of imprisonment.	Portion of sentence undergone.	Treatment in jail.
19. Jagdish Prasad ..	Meerut District Jail ..	124A, Indian Penal Code	One year and 6 months' rigorous imprisonment.	Y. m. d. 0 4 27	Ordinary.
20. Gyan Singh ..	Moradabad District Jail	Ditto ..	Two years' rigorous imprisonment and Rs 100 fine or six months' more rigorous imprisonment.	0 4 29	Do.
21. Musammam Parbat Devi ..	Fatehgarh Central Prison	124A and 153A, Indian Penal Code	Two years' rigorous imprisonment.	1 2 0	Special division prisoner (ordinary).
22. Tasaddug Husain ..	Fatehgarh District Jail	Ditto ..	Two years' simple imprisonment and Rs 100 fine or six months' more simple imprisonment.	0 10 2 (Re. 1-8 fine paid.)	
23. Nar Singh ..	Bareilly Central Jail ..	184, 117 and 145, Indian Penal Code.	Two years and 6 months' rigorous imprisonment.	0 0 3	Do
24. Kirti Ballabh ..	Ditto ..	Ditto ..	Two years and 6 months' rigorous imprisonment.	0 0 3	Do
25. Gopal Datt ..	Ditto ..	Ditto ..	Two years and 6 months' rigorous imprisonment.	0 0 3	Do
26. Shyam Lal ..	Ditto ..	Ditto ..	Two years and 6 months' rigorous imprisonment.	0 0 3	Do
27. Mohan Joshi ..	Ditto ..	184, 117 and 145, Indian Penal Code	Two years and 6 months' rigorous imprisonment.	0 0 3	Do

Answer with reference to unstarred question No. 20 asked by

DR. SHAFAT AHMAD KHAN on the 31st January, 1924.

Mr. G. B. F. Muir: The drainage system of Moradabad has been modernised and is reported to be satisfactory. No undertaking can be given in regard to a loan.

Answer with reference to unstarred question No. 21 asked by

DR. SHAFAT AHMAD KHAN on the 31st January, 1924.

Mr. G. B. F. Muir: Government is aware of the unsatisfactory state of the road, but it is a local road and Government is not concerned with metalling it.

Answer with reference to unstarred question No. 23 asked by

DR. SHAFAT AHMAD KHAN at the meeting of the 31st January 1924.

Kunwar Jagdish Prasad: Government have taken no special steps to develop the industries of Amroha. They will be glad to consider any scheme for such development which the honourable member may place before them.

Answer with reference to unstarred question No. 31 asked by

LIEUT. SHAIKH SHAHID HUSAIN at the Council meeting of the 31st January, 1924.

Mr. A. C. Verrières: Earthwork and culverts in 2½ miles were completed in 1922-23. The first coat of metalling was completed during the rains of 1923. Collection of the second coat of metal is now well in hand and this coat will be consolidated during the rains of the current year. Funds are being provided by the district board of Hardoi in small lots and the work is keeping pace with the allotments.

THE UNITED PROVINCES BOARD OF REVENUE (AMENDMENT) BILL.

The Hon'ble the President announced the assent of His Excellency the Governor to the United Provinces Board of Revenue (Amendment) Bill, passed by the Council on the 31st of January, 1924.

THE BUDGET, 1924-25.

The Hon'ble Mr. S. P. O'Donnell presented the budget for 1924-25.

Pandit Brijnandan Prasad Misra: I rise to a point of order. Will the Hon'ble Finance Member be allowed to read his speech?

The Hon'ble the President: I think the honourable member will understand that even the Hon'ble Finance Member could not possibly be expected to retain this mass of figures in his memory. It has been customary to allow members of the Government here, as is the case with Cabinet Ministers at Home, to read such complicated statements, as well as statements of grave importance.

Pandit Brijnandan Prasad Misra: Will you kindly extend the same indulgence to other members who have a failing memory like that of the Hon'ble Finance Member?

The Hon'ble the President : Yes, undoubtedly. When any member has such a mass of important figures as these to communicate to the Council, I will certainly permit him to read them.

The Hon'ble Mr. S. P. O'Donnell : I rise to present the budget for the year 1924-25. Its preparation, if not so difficult as that of the budget for the current year, has been no light task, and I desire at the outset to express my grateful thanks for the ungrudging assistance which I have received from Mr. Blunt, the Financial Secretary, who, as usual, has not spared himself, and to the personnel of his department.

The budget of 1923-24 as presented to the Council provided for a revenue surplus of 13,99, and for a closing balance of 1,21,73, of which 45,08, would have been available for expenditure on general purposes. As actually passed, however, it showed a revenue deficit of 2,89. Reductions of the demands made by the Council brought the total on the expenditure side from 13,29,81, to 13,15,52, but, as a result of the amendments made to the taxation measures submitted to the Council, the estimated revenue fell from 13,43,80, to 13,12,63. The closing balance was accordingly reduced to 1,05,28, of which only 28,63, would have been available for general expenditure.

The budget estimates, however, though framed on the latest data available (usually the six months' actuals of the current year) are estimates only. There is always some difference between them and the figures of actual expenditure finally reported by the Accountant General. When the actual receipts and expenditure were so reported, it was found that the receipts in 1922-23 were 8 lakhs higher and the disbursements were 39 lakhs less than had been anticipated. This big saving occurred chiefly under the construction of the Sarda Works (18 lakhs), Civil Works (15 lakhs) and Forest (9 lakhs); but there were savings of greater or less magnitude under 26 heads out of 37, which fact was due partly to economical management, but chiefly to a less laudable cause, namely over-budgeting. In consequence, the opening balance of 1923-24 proved to be 1,41,16, instead of 94,04, and the closing balance of that year promised to be higher by 47,12.

There have been variations also between the budget and the revised estimates of 1923-24. Revenue has declined by 15,02, mainly under—

- (a) *Stamps*.—Under this head there has been a decrease of 10,50, partly due to the institution of suits in March and April 1923 with the object of avoiding the enhanced rates imposed by the Court-Fees and Stamp Amendment Acts, and partly to the slackness of trade and commerce.
- (b) *Excise*.—Revenue under this head has dropped by 7 lakhs as a result of the continued decrease in consumption of country liquor. This decrease has been discussed in the resolution recently issued in the Excise department. It appears to be attributable in part to the high rates of duty and in part to a change in the social habits of certain sections of the population.
- (c) *Forest*.—The drop under this head amounts to 4,31, and is accounted for by a mistake in estimating.

On the other hand, the disbursements are less by 8,39. The net result of these variations is that the closing balance is now estimated to

be 1,46,69, instead of 1,52,40, as, after allowing for the increase in the opening balance, it would have been, had all budget expectations been fulfilled.

It may be of interest to the Council if I explain how the opening and closing balances of the year 1923-24 are made up. The composition of the opening balance was as follows:—

Development Loan	2,10,13,
Famine Insurance Fund	57,55,
Sinking Fund	3,
Revenue Account	—1,23,99,
Loan Account (Provincial)	—2,56,
Total	1,41,16,

The corresponding figures of the closing balances are —

Development Loan	1,84,37,
Famine Insurance Fund	88,85,
Loan Account Fund	3,08,
Revenue Account	—1,29,61,
Total	1,46,69,

Thus the overdraft on the Loan which amounted to 1,26,55, at the beginning of the year 1923-24, had increased by the end of it to 1,29,61, whilst the funds available for general purposes at the beginning of the year were 83,58, and at its close 57,84.

I now pass to the estimates for the budget year, and I propose in the first place to compare the estimates of expenditure for the current year with those for the year 1924-25. The budget estimate for 1923-24 was 13,15,52. The revised estimate for the same year was 13,05,96, and the budget estimate for 1924-25 is 12,69,11. Certain corrections, however, are necessary in these figures. In the first place, they must be corrected to allow for Irrigation expenditure which is taken in deduction of revenue in the budget. When this correction has been made, the budget estimate for 1923-24 becomes 13,70,72, the revised for the same year becomes 13,60,91, and the budget estimate for the next year becomes 13,20,44, and the budget estimate for 1924-25 is 50,28, lower than the estimate for 1923-24 and 49,47, lower than the revised estimate of that year. In order, however, to obtain a true comparison, allowance must also be made for the transfer to the Famine Insurance Fund of 58,05. That transfer constitutes an important departure, and I propose to explain to the Council briefly, but I hope clearly, the reasons for making it. Under the Devolution Rules we have to make every year a provision of 39,60, for Famine Insurance. The rules lay down that as soon as the Fund reaches six times this figure, i.e., in round figures 240 lakhs, no further provision need be made, and they also permit the expenditure of the money in this Fund on certain purposes, namely, relief of famine, protective irrigation works or other works for the prevention of famine, and *taqavi* advances of all kinds. In 1921-22 the only expenditure debited to the Fund were the sums spent on the construction of certain irrigation works in Bundelkhand and minor charges of the nature of Famine Relief. In 1922-23 and 1923-24 the *taqavi* allotments were also debited to the Fund. In the meantime the Fund was growing rapidly; it amounted to nearly 89 lakhs at the end of 1923-24, and at the end of 1924-25 would, had no debits of a fresh kind been made to it, have amounted to over 120 lakhs. We have gone very carefully into

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this question, and we have come to the conclusion that a provision for famine on this scale is unnecessary and uneconomical. Famine expenditure may be direct or indirect. In 1918-19 the direct expenditure did not exceed 20 lakhs, and allowing for the increased resisting power of the people, which was amply demonstrated in that year, it is practically certain that the expenditure under this head will never again exceed, if indeed it ever reaches, 50 lakhs. Indirect expenditure consists of *taqavi* advances of various kinds, and in the most severe famine would not exceed a crore or 125 lakhs. But it is unnecessary and in our judgment financially unsound to set aside money merely for the purpose of financing such advances. It is both permissible under the rules and more economical to borrow money for famine *taqavi* at the time when the need for such expenditure arises. Such advances are rapidly repaid, and the interest which they carry, being at least one per cent. higher than that charged to us by the Government of India, is sufficient to cover both that charge and any arrears which it may be impossible for us to collect. We have, therefore, decided, following the example already set in this respect by certain other Provincial Governments, to debit in 1924-25 the following charges to the Fund:—

- (1) Interest on the Sarda works. These canals will protect tracts that have suffered severely in recent famines, and though they are estimated to yield a small profit they are very largely protective in character.
- (2) Interest on protective canals and also on canals which though hitherto classed as productive are not in fact so.
- (3) Working expenses of protective canals.
- (4) *Taqavi* advances.
- (5) Construction of new protective works.
- (6) Minor sums connected with famine relief.

The last three of these constitute the charges that have been made against the Fund since 1922-23 in the case of *taqavi*, and since 1921-22 in the other two cases. These debits will result in the transfer to the Fund of some 58 lakhs of expenditure which otherwise would have fallen on our revenues, and will still leave in the Fund a balance of 62,26,000. When the correction on account of this transfer has been made the budget of 1924-25 is 7,77,000 above the budget of 1923-24, and 17,58,000 above the revised budget of 1923-24.

Last year a comparison was instituted between budget and budget, and this has been carried out in detail in Part IV of the present budget memorandum. But since the revised is lower than the budget of 1923-24 a more useful comparison for my present purposes is between the revised estimates of 1923-24 and the budget estimates of 1924-25. The figures are given in Table I appended to Part III. It will be observed that the principal increases are—

- 5,28,000, under *Land Revenue* which is entirely accounted for by the extension of Settlement operations;
- 11,48,000, under *Education*. Here the increase is due to various schemes of expansion.
- 5,94,000, under *Expenditure in England*, as a result mainly of additional non-recurring expenditure on the purchase of stores for the Sarda works and to a less extent on the transfer to this head of the charges for the British Empire Exhibition.

Finally, excluding for the moment the transfer to the Famine Insurance Fund there is an increase of 11,49, under Irrigation, of which 7 lakhs represents the additional interest on the sums expended on the construction of the Sarda Canal works; 2 lakhs represents the new items of expenditure; $1\frac{1}{2}$ lakhs are due to the transfer of pension charges from the head Superannuation and are therefore only a nominal increase, and about a lakh is an addition to the grant for maintenance and repairs and is merely a restoration of the normal provision which was temporarily reduced last year. In all other departments there have been either unimportant increases or decreases. The largest decreases are -

- (1) under Debt Charges, which have fallen partly owing to the reduction of the amount payable to the Government of India in the Provincial Loan Account, and partly in consequence of the transfer of ordinary interest charges under Irrigation;
- (2) under Forest. Here the decrease is due to changes made in connection with the Utilization circle; and
- (3) under Stationery and Printing. For the decrease under this head we are indebted to the careful management of the Superintendent who has reduced his budget since 1920-21 by close on 50 per cent.

The fact that the decreases extend to so many departments will, I trust, be taken as an indication that in preparing our estimates we have not been unmindful of the need of exercising economy. In view, however, of past discussions a fuller reference to this topic is necessary. In the statement with which I presented the budget for the current year, I described in some detail the economies and retrenchments which we had effected during 1922-23 and in the budget for 1923-24. I do not propose on this occasion to discuss definite items of retrenchment. As explained in paragraph 32 of part III of the memorandum, as time goes on individual cases of retrenchment are overlaid and obscured by other factors, and it becomes difficult to disentangle their results. That paragraph, however, and table II appended to part III will enable the Council to appreciate the main results achieved. Since 1921-22 there has been a gross decrease of expenditure of 1,91,71,. Of this sum 70 lakhs under Public Health, Civil Works and Irrigation represents only a nominal decrease since the charges have been transferred to Capital or to the Famine Insurance Fund; but in respect of the balance, namely, some 1,22 lakhs, we can claim that there has been a definite cessation of expenditure. The departments or heads which have made the largest contribution to this result are Forest, 29,96; Debt Charges, 25,27; and Police, 22,17,. These departments between them account for a total of 77, lakhs. There have also been substantial economies under Land Revenue, General Administration, Administration of Justice, Jails, Agriculture, Public Health, Industries, Civil Works, Stationery and Printing. Of the total about a crore is attributable to the Reserved departments and about 22 lakhs to the Transferred departments. Against these economies and retrenchments we have to set increased expenditure amounting to 70 lakhs. When presenting the budget for the current year I explained some of the items which make up this total, and I showed how little of this increase has been under our control. Much of it has been obligatory and the remainder has been either remunerative or such as could not have been avoided without detriment to the administration.

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In addition to these items the estimates for next year include 26 lakhs for new expenditure, and of this 26 lakhs the greater part falls under Transferred departments. There have been complaints in some quarters that the Transferred departments have not received their proper share of the revenues of the provinces. I cannot admit that there is any foundation whatever for this charge. Since 1920-21 the expenditure, inclusive of English expenditure,* under Education, has risen from 110 lakhs to 173 lakhs: under Agriculture from 23 lakhs to 25½ lakhs; under Industries from 9 lakhs to 10½ lakhs, or 12½ lakhs if capital expenditure is included; under Medical from 23 lakhs to 26½ lakhs; under Public Health, also allowing for capital expenditure, from 15½ lakhs to 24½ lakhs. The department of Education now costs much more than any other department. I make no complaint whatever on this score, for the Transferred departments are those in which the scope and the need for expansion is undoubtedly greatest. In deciding what items of new expenditure should be included in the budget we have given due recognition to this fact. Education accounts for nearly 9 lakhs, and of the sum of 10.44, under Civil Works, over 6 lakhs is on account of buildings in Transferred departments. The expenditure proposed under the Reserved departments is either obligatory or remunerative. Under Law and Justice we have made a provision of 1.83, for an increase in the subordinate judiciary upon which the High Court have rightly insisted. Under Irrigation there is a sum of 1.96, which is required partly for structural alterations to the Narora weir necessitated by the concessions to Hindu sentiment announced last year, partly for works on the Eastern Jumna canal and partly for the creation of a subordinate engineering service, without which it is becoming increasingly difficult to obtain competent sub-overseers. Under Forests, there is a sum of 1.30, for the construction of two tramways, which will prove highly remunerative. In the whole list I do not think there is a single item which will not stand the most severe scrutiny.

In this connection it is fitting that I should refer to the report of the Economy Committee. The late Council were, I think, satisfied that in preparing the budget for 1923-24 we had made a genuine effort to effect economies. But they desired, very rightly, that they themselves should be given an opportunity of examining in detail the expenditure of the various departments. We appointed therefore an Economy Committee, two-thirds of whose members were elected by the Council itself. The report of the committee was received a short time ago and has since been published. It contains, able and thorough survey (for which we are much indebted to Mr. Fremantle and his colleagues) of the whole field of economy and retrenchment. Although the report was not officially submitted till the 21st January we were furnished by the courtesy of the president with advance copies of the individual chapters. These were immediately examined and we have just published an interim resolution in which we have explained the action that has been taken on the recommendations of the Committee. A number of these have already been accepted and effect will be given to some others by a reduction of the demand. In a few cases, for reasons indicated in the resolution, we have been unable to agree with the Committee. But the acceptance of their recommendations in these cases would not have enabled us to make any very substantial alteration

in our estimates. The most important of the Committee's recommendations relate to questions which, as they recognize, require further and in some cases prolonged examination, for example, the proposals for the abolition of districts and tahsils, and changes in educational policy. We are entitled, therefore, to say that we have dealt with the report with the utmost promptitude. We have taken action on every recommendation that was ripe for immediate decision, and we have initiated inquiries in all cases in which further investigation was admittedly necessary. These inquiries may ultimately lead to further economies; but such economies cannot find a place in the budget for the coming year. The report of the Committee embodies the results of the last and the most complete of the investigations which since 1922 have been devoted to the subject of economy and retrenchment, and I think we may fairly claim in the light of this report and of the action taken on it, that for the present, and so far as the budget of 1924-25 is concerned, we have carried economy to the farthest limit practicable.

There is little to be said regarding our capital expenditure. In 1923-24 we budgeted for an expenditure of 1,74,46,. In the revised this has risen to 1,75,63,. The increase is due to the fact that progress on the construction of the Sarda works has been more rapid than was originally expected. The budget provision for 1924-25 is 2,62,71,. Of this 1,29,56, represents the sum to be spent on the Sarda Canal works and will be borrowed from the Government of India. 70,48, represents the transfer to the Famine Insurance Fund, to which I have referred above, with the exception of the working expenses of protective works which are taken not against the balance of the Fund but against the annual assignment. 25 lakhs is the sum which we have to pay to the Government of India yearly, on account of the Provincial Loan Account. The provision for loans is 12,35,. 3,38, represents the sinking fund which will be invested as usual and is not true expenditure at all; and there is the usual provision of one lakh for Civil Contingencies. The balance of 17,48, is the total dead weight expenditure. It consists partly of expenditure on roads and buildings and partly of grants to Improvement Trusts, and has been kept at a low figure. It only exceeds the similar provision for 1923-24 by 3 lakhs. It is indeed very regrettable that we are unable to make a larger provision for roads and buildings.

The estimated closing balance of 1924-25 is as follows:—

Development Loan	..	..	..	1,53,24,
Famine Insurance Fund	..	..	..	62,36,
Loan Account Fund	..	..	..	1,50,
Revenue Account	..	..	..	1,11,41,
Total	..	..	..	3,27,51,

The overdraft on the Loan is thus 1,11,41, whilst the balance available for general expenses is 43,32,.

I come now to the estimates of Revenue. Under Land Revenue there is a small increase which needs no explanation. Under Excise, a figure which exceeds the revised estimates for 1923-24 by 2 lakhs has been taken. Despite the favourable crop prospects I do not think that in view of the continuous decrease in consumption a higher figure would be justified. Under Stamps, if the measures passed last year are not renewed, the revenue estimated is 1,72,17,. Of this, 2 lakhs represents

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the yield of the enhanced duties imposed last year under the Acts just referred to which do not expire till the 30th April; 1,50, is an addition in the assignment on account of unified stamps which has been promised by the Government of India; 30, is on account of additional revenue which it is hoped to realize at a very low cost by increasing the facilities for embossing stamps and 3 lakhs represents the normal growth. Under Forests, we have estimated for 63,82, which is 13,18, below the revised of 1923-24. A portion of the decrease is due to the retrenchments effected in the Utilization circle and is covered by a reduction in the expenditure, but a part is attributable to the depressed condition of the timber market, which accounts for a drop in the net figure from 30,56, to 25,05,. Under Irrigation there is a net decrease of 10,19,. This is due entirely to the exceptionally favourable winter rains and the consequent decline in the *rabi* irrigated area. It has been necessary on this account to reduce the original (and normal) estimate by no less than 20 lakhs. The various heads under Civil Administration show an increase of Rs. 86,000. Under Civil Works there is a decrease of 2,85, which is explained by the exclusion of certain non-recurring items relating to the sales of various buildings which were included in the last year's budget.

On this basis the total revenue is estimated to be 12,53,80, and if it is allowed to remain at that figure the present revenue surplus of 12,19, will disappear and become a deficit of 15,31,. The overdraft on the loan will rise from 1,11,41, to 1,38,91, and the closing balance will become 78,08, of which only 15,81, will be available for general expenditure.

Now, I may say at once that, whatever else may be possible, it is not possible that we should budget for a closing balance of this amount. Before the Reforms, when our expenditure was far below its present level, the recognized minimum closing balance was 20 lakhs, and the smallest closing balance for which in present conditions we must provide is 30 lakhs. No lesser sum will suffice. It is essential that we should have available a margin to meet unforeseen expenditure, and to protect ourselves against the consequences of any failure to realize in full the revenue entered in our estimates. As the Council are aware, we, like all other Governments, have never been able to avoid some supplementary estimates. Our revenue this year fell short of our anticipations by 15 lakhs, and, although we have framed our estimates for the coming year with the greatest care, we cannot be certain that under all heads our expectations will be fulfilled. We have, indeed, taken some risk in budgeting for a reduction of only 20 lakhs under irrigation. In the latest forecast furnished by the department, the deficit was put at 34 lakhs. And finally, in addition to the provision of a closing balance of 30 lakhs, we must keep in hand funds to meet the cost of two very important schemes to which we are committed, namely, the establishment of a Chief Court for Oudh and the separation of the Judicial and Executive. The full cost of these reforms cannot fall in the next year, but it would not be safe to reserve for this purpose less than 4 to 5 lakhs.

Such being the position, it is obvious that we have only two alternatives before us. We must either make further reductions in our expenditure, or take steps to increase our revenues. I do not deny that the former course is possible. There are, as I have already mentioned, 27 lakhs

provided for new items of expenditure, and by eliminating most of these items we can secure a minimum closing balance. But I wish the Council to realize clearly what this will involve. We have already made the most drastic reductions, though even before these were effected our standard of expenditure was, with one exception, the lowest in India. The budget for the current year contained hardly any provision for new expenditure. Is it desirable that for the second year in succession we should cry a halt to all schemes of expenditure and development? In taking this line, shall we be exercising a wise judgment? Shall we be doing our best for the welfare and progress of the province? I cannot think so. If further reductions have to be made, it is on the Transferred departments that they will mainly fall. That is inevitable, both because the bulk of the 27 lakhs is on account of these departments, and because the new charges entered on the reserve side are mostly unavoidable. We cannot refuse to increase the judicial staff, which is demonstrably unable to cope with the growing volume of litigation. To abandon the scheme for the Forest tramways would be false economy, since in a year or two the expenditure will be more than covered by increased receipts. The alterations to the Narora weir must be carried out, and hardly less urgent, at any rate from the point of view of finance, are the works on the Eastern Jumna canal and the establishment of a subordinate engineering service. We shall, therefore, have no option but to cut down almost the whole of the provision for new expenditure under the Transferred departments. It will be deplorable if we are driven to this expedient. As I have said before, these are the departments in which the need for expansion is greatest. In Education in particular, in spite of the great efforts made during recent years, we still rank low in comparison with other provinces. I am not suggesting that the modest provision which we have made in the budget will enable us to make a revolutionary advance. But I do urge that we ought not, if any other solution can be found, to withhold again from these departments the means for carrying out a few of their most urgent projects.

I hope and trust, therefore, that the Council will not refuse to approve the other alternative, namely, an increase in our revenues. And, at any rate, it is in that hope that we have framed our estimates. We propose that the addition required should be provided, to a small extent, by a tax on entertainments: but in the main by the renewal for another year of the Court-Fees, Stamps and Motor Taxation Acts. I do not think that there will be any serious opposition to a tax on entertainments. This tax was suggested by some of our critics during the debates last March. There is no class of expenditure which may more legitimately be made to contribute to the public revenues; and a similar measure has already been passed by the Bengal legislature. This tax, however, is not expected to yield more than a lakh. The other measures are estimated to yield 26,50,000. I am aware of the objections that may be taken to the proposal to extend their operation. When they were passed last year, it was undoubtedly hoped by the Council that their renewal would not be necessary. But in this connection, I would remind the Council of the statement which I made last year during the general discussion of the budget for 1923-24. "One very important suggestion" I observed "has been made during the course of this debate—a suggestion which I welcome. It has been urged that the measures of taxation which we have proposed should not be passed as permanent measures,

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but should be limited in their operation to a single year. We recognize the force of the considerations which underlie that proposal. By limiting the operation of these measures to a period of a single year the Council will retain complete control. If the Council is not satisfied that everything possible has been done by way of retrenchment, and if it is not convinced that we have exhausted every possible line of economy, it will be in the power of the Council to refuse to continue these measures. We recognize that it is reasonable that the Council should retain control, that it should reserve to itself this power, and we shall be prepared when the measures go to the Select Committee to insert a clause in these Bills limiting their operation to a period of one year."

I think we can now fairly claim that we have, so far as the immediate future is concerned, exhausted the possibilities of economy. The field has been surveyed not only by the Government but by a Committee, two-thirds of which were elected by the Council itself, and the resolution just published shows that we have taken action on every recommendation in regard to which a decision was practicable on the material at present available. In these circumstances, we feel justified in asking the Council to extend the operation of these three Acts for another year. I am not aware that any of the three have during the last year been productive of any kind of hardship. No complaints in regard to their effects have reached us from any quarter. Similar measures, involving, however, much larger enhancements of the previous duties, have been enacted in other provinces as permanent amendments of the original Acts. I may add that we do not anticipate that, whatever may be the outcome of the investigations instituted on such recommendations of the Economy Committee as those for the abolition of districts and tahsils, it will be necessary next year to again introduce Bills extending the operation of these Acts. The Government of India have stated that they are shaping their policy towards a reduction of the financial contribution, and although we have had no intimation as to the date or the extent of such reduction, we may reasonably hope that it will not be deferred beyond the year 1925-26.

The acceptance of these measures will also enable us to make an important concession to the agricultural interests. The increase made in the irrigation rates last year has been much criticized. There will be an opportunity for a full discussion of this subject on the 28th, and I do not propose to anticipate that discussion.

Here I will only say that we adhere to the view which we took in the debate of January, 1923. We cannot admit having regard to the great rise in prices since 1878-79, that the enhancement was unjust or excessive. Nevertheless, we are anxious not only to meet (so far as we can) the wishes of the agricultural community, but also to promote the development of the industries of the province. The particular enhancement, which was most strongly opposed, was the increase made in the rate for sugarcane. We cannot admit that the enhanced rate imposed constitutes any inequitable burden, nor have we seen any evidence that the gloomy prognostications, to which it gave rise, are likely to be fulfilled. We desire, however, not merely to avoid imposing an unfair rate, but also actively to foster the manufacture of sugar in this province, and for this purpose we are prepared, should our financial resources so permit, to

lower the present rate. The passing of the four Acts to which I have referred will provide additional funds sufficient both to cover the other expenditure already described and also a substantial reduction in the rate for sugarcane, and if our proposals are accepted, we undertake to make that reduction.

I hope that what I have said will make clear the issue that lies before the Council. The choice is between the extension for another year of measures, which have been accepted by the legislatures of other provinces, which will enable us to provide for some of the numerous urgent projects awaiting the allotment of funds, and will render possible an important concession to the agricultural interests; and the continuance of a policy of stagnation, the arrest for another year of all schemes of development, and the further retardation of the progress of this great province. I am confident that the decision of the Council will be in accordance with the high traditions established by its predecessor.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Wednesday, 27th February, 1924.

THE Council met in the Council Chamber, Lucknow, at 11 a.m.
The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verriores.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. W. S. Cassels.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad E'jaz Rasul Khan.
Raja Brij Narayan Rai, Bahadur.
Mr. H. C. Desanges.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksona.
Babu Damodar Das.
Thakur Moti Singh.
Rai Bahadur Lala Sita Ram.
Babu Bhagwati Sahai Bedar.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Rai Bahadur Pandit Kharagjit Misra.
Raja Suryapal Singh.
Babu Nomi Saran.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Thakur Har Prasad Singh.
Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Hukm Tej Pratap Singh.

Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyaya.
Pandit Raja Ramji.
Raja Sri Krishna Dutt Dubo.
Babu Dip Narayan Roy.
Thakur Hanuman Singh.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Babu Sita Ram.
Babu Bindeshwari Prasad.
Thakur Hukam Singh.
Rai Bahadur Baba Shankar Dayal.
Dr. Muhammad Naim Ansari.
Mr. Muhammad Aslam Saifi.
Maulvi Zahir-ud-din.
Rao Abdul Hameed Khan.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Kunwar Inayat Ali Khan.
Khan Bahadur Chaudhri Amir Hasan
Khan.
Dr. Zia-ud-din Ahmad.
Hafiz Hidayat Hussain.
Mr. Masud-uz-Zaman.
Nawabzada Muhammad Yusuf.
Maulvi Abdul Hakim.
Dr. Shafa'at Ahmad Khan.
Sayid Muhammad Ashiq Hussain.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Hakim Mahbub Ali Khan.
Mr. Ashiq Hussain Mirza.
Khan Sahib Munshi Siddiq Ahmad.
Lieut. Shaikh Shahid Hussain.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Shaikh Abdus Samad Ansari.
Mr. St. George H. S. Jackson.
Lala Mathura Prasad Mehrotra.
Lieut. Shaikh Imtiaz Rasul Khan.
Thakur Jagannath Bakhash Singh.
Dr. Ganesh Prasad.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

TREATMENT OF PANDIT JAGDAMBA PRASAD IN JAIL.

* 1. **Babu Damodar Das:** Is it a fact that Pandit Jagdamba Prasad (Hitaishi) undergoing imprisonment at the Benares central jail had to drive an oil mill when he was not well?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No.

* 2. **Babu Damodar Das:** Is it a fact that he was beaten by a *lathi* when he expressed his inability to drive the mill owing to illness?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No.

* 3. **Babu Damodar Das:** Is it a fact that he was beaten with a *lathi* without the permission of the Superintendent of the jail?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No.

* 4. **Babu Damodar Das:** Is it fact that no corporal punishment can be given without the order of the Superintendent of the jail?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Yes. No officer subordinate to the Superintendent has power to award any punishment whatsoever.

Rai Bahadur Lala Sita Ram: Was any statement of the prisoner taken in the matter?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No.

Babu Damodar Das: Will the Government be pleased to institute an independent inquiry to know the exact facts and to bring the real offender to book?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The answer is in the negative.

Pandit Nanak Chand: Are we to understand that the Government is not even prepared to institute an independent inquiry?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: They have no reason to distrust their officials.

Rai Bahadur Lala Sita Ram: Will the Government be pleased to take down a statement of the prisoner himself asking him whether the punishment was inflicted or not?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No complaint was made by the prisoner.

Pandit Brijnandan Prasad Misra: How does Government know that no punishment was inflicted?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan made no reply.

DISPOSAL OF FORD VANS.

* 5. **Rai Bahadur Thakur Mashal Singh:** With reference to answer to starred question No. 27 of Babu Chhail Bihari Kapur, given on the 16th December, 1922, will the Government be pleased to state if the inquiry which was being made has been completed?

* 6. If so, how many Ford vans have been sold and what are the sale proceeds?

* 7. If no motor lorries have been sold, what are the grounds for their retention ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Government decided to dispose of 30 of the Ford vans and lorries which were purchased in the winter of 1921-22. Two of these lorries have been made over to an educational institution and efforts are being made to sell the remaining 28 vehicles. Up-to-date reports have been received to the effect that seven light vans have been actually sold; the sale-proceeds of these seven vehicles amounting to Rs. 7,650 have been credited to Government.

Efforts are being made to sell the remaining vehicles, but owing to the general slump in the motor trade, difficulty is being experienced in obtaining the reserve prices fixed by Government.

Rai Bahadur Thakur Mashal Singh: What is this educational institution ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The Lucknow Girls' School.

Rai Bahadur Thakur Mashal Singh: What is the enrolment and attendance of pupils in the school ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Over 70.

Rai Bahadur Thakur Mashal Singh: Will the Government be pleased to state if other similar institutions asked for these lorries ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No institution asked for them.

Rai Bahadur Thakur Mashal Singh : If any such institution asks for these lorries, is the Government prepared to give them these lorries ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The reply is in the affirmative.

ALAM PROCESSION OF KATGHARA IN JAUNPUR.

* 8. **Pandit Baijnath Misra:** Will the Government be pleased to state if the *Alam* procession of muhalla Katghara in the city of Jaunpur did not take place in the last *Muharram* ?

* 9. **Pandit Baijnath Misra :** Is the Government aware that such a procession was taken out during the *Muharram* previous to the last and that it was usual for such a procession to take place in the years before ?

The Hon'ble Mr. S. P. O'Donnell : There is no record of any procession known by this name. The reference appears to be to a private procession allowed in 1922, for the first time under certain conditions. The procession was not taken out in 1923, as the result of the further conditions then imposed.

* 10. **Pandit Baijnath Misra:** Will the Government be pleased to state if the fulfilment of certain conditions was made necessary for the taking out of the said procession during the last *Muharram* ?

The Hon'ble Mr. S. P. O'Donnell: The answer is in the affirmative. The permission granted in 1922, aroused considerable local feeling and there was serious danger of a breach of the peace. There was a

recurrence of these symptoms in 1923, and the Superintendent of Police found it necessary to require the applicant for permission to take out a licence imposing more stringent conditions which were necessary to avoid a breach of the peace.

* 11. **Pandit Baijnath Misra**: Were such conditions imposed in any of the previous years? If not, what were the peculiar conditions prevailing in this particular year?

The Hon'ble Mr. S. P. O'Donnell: As already stated, conditions were imposed in 1922. There was no procession previous to 1922.

* 12. **Pandit Baijnath Misra**: Who imposed these conditions and why?

The Hon'ble Mr. S. P. O'Donnell: This is answered under question No. 10.

* 13. **Pandit Baijnath Misra**: Will the Government be pleased to give the source and the details of the information on which the officer imposing the conditions acted?

The Hon'ble Mr. S. P. O'Donnell: The Kotwal reported that conditions were necessary in order to prevent riot and bloodshed. This estimate of the situation was verified by the Superintendent's own inquiries.

* 14. **Pandit Baijnath Misra**: Is the Government aware that the procession was abandoned on account of the processionists' inability to carry out the orders imposing the conditions? If not, why did the procession not take place?

The Hon'ble Mr. S. P. O'Donnell: The conditions imposed were that the procession was to take place between 2 and 5 p.m.; that it was to consist of not more than 100 persons; that it was to pass by a prescribed route and that the music accompanying it was to be limited to one *tabal*. The procession did not take place because those eminently necessary regulations were not accepted.

STORES PURCHASE DEPARTMENT.

* 15. **Mr. Ashiq Husain Mirza**: Will the Government be pleased to state how arrangements for the supply of goods to various Government departments are made by the Stores Purchase department? What rules govern approving the firms, placing orders, and entering contracts for definite periods of supply? Are tenders called for in the first instance? If so, how are the tendering firms selected?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: For orders in bulk running contracts with reliable firms are made by the department after tenders have been called for. Lowest tenders are accepted except for good reasons to the contrary. A list of approved firms is kept by the department, after considering their financial position and reliability.

Mr. Ashiq Husain Mirza: How is the list of approved firms made?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: There is a list of all approved reliable firms.

Mr. Ashiq Husain Mirza: I want to know how these reliable firms are found out.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: By finding their financial position and reliability.

Mr. Ashiq Husain Mirza : Does the Hon'ble Minister mean to say that there are only a few reliable firms in this province? I should think there are very many.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not wish to make any reflection on other firms. Such firms as are regarded reliable are kept on the approved list.

Mr. Ashiq Husain Mirza : How is the reliability to be found out?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : By soundness of finance.

Mr. Ashiq Husain Mirza : How is the financial position to be found out?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : By their annual financial statements.

Mr. Ashiq Husain Mirza : Do private firms issue any financial statements?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : They do when they distribute their dividends.

Mr. Makandi Lal : What is the number of such firms?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I would ask for further notice.

*16. **Mr. Ashiq Husain Mirza :** With reference to the arrangements concluded with Messrs. Shalehbhoy Tyebjee & Company, Bombay, regarding the supply of Chesterman's "Metallic" measuring tapes:—

50 feet in leather case at Rs. 7-10-0 each,

100 feet in leather case at Rs. 11-13-0 each,

50 feet refills at Rs. 43-8-0 per dozen, and

100 feet refills at Rs. 94-8-0 per dozen,

all *f. o. r.* Bombay (vide *Government Gazette Supplement*, dated the 2nd February, 1924, page 3, Department of Industries), will the Government be pleased to give the names, addresses, and quotations of all other firms who were asked to tender for this standard article, before arrangements were concluded with the above firm?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Tenders were not considered necessary in this case, because the department had already received quotations from different firms in connection with a general hardware contract. After considering these quotations the contract was given to Messrs. Shalehbhoy Tyebjee & Company, whose rates were the lowest.

Mr. Ashiq Husain Mirza : How many firms tendered for these?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Five.

Mr. Ashiq Husain Mirza : Are these the only reliable firms in these provinces?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : They only tendered.

Mr. Ashiq Husain Mirza : How many were asked to tender?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I ask for further notice.

Mr. Ashiq Husain Mirza : Was any notice published in the Gazette ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I ask for further notice.

* 17. **Mr. Ashiq Husain Mirza :** With reference to the supply of Portland cement at Rs. 40 per ton, *f. o. r.* Banmor, G. I. P. Railway, for 6 months (vide *Government Gazette Supplement*, dated the 26th January, 1924, page 5, Department of Industries), will the Government be pleased to state how many of the Indian Cement Manufacturing Companies were asked to tender for this supply before the rates from the Gwalior Cement Company were accepted? Will the Government be pleased to give their names and quotations?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Five, including the Gwalior Cement Company, as follows:—

The Gwalior Cement Company.

The Bundi Portland Cement Company, Cawnpore.

The Katni Portland Cement Company.

Messrs. Martin & Company, Calcutta.

The Railway and Industrial Equipment Company, Calcutta.

The Gwalior Cement Company's rates were the lowest. No useful purpose would be served by giving publicity to the rates quoted by the other firms.

* 18. **Mr. Ashiq Husain Mirza :** Are the accepted quotations above for Chesterman's measuring tapes and Portland cement the lowest the Stores Purchase department could get for the class of goods?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

Mr. Ashiq Husain Mirza : Were any tenders called for in the province?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. Outside the province.

Mr. Ashiq Husain Mirza : Were provincial firms given any chance?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think they were given a chance and it was open to the provincial firms to submit their tenders.

Mr. Ashiq Husain Mirza : Is the Hon'ble Minister aware that there were firms whose tenders were below 40 per cent. than the price paid by the Stores Purchase department?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I have no information. Perhaps it may be so. If the honourable member wants an inquiry to be made, it will be done.

Mr. Ashiq Husain Mirza : May I be permitted to give a list to the Hon'ble Minister of the firms whose tenders are 40 per cent. lower than the rates settled?

The Hon'ble the President : The honourable member can do so privately.

CENTRAL WOOD-WORKING INSTITUTE, BAREILLY.

* 19. **Mr Ashiq Husain Mirza :** Will the Government be pleased to state if it is a fact that about 20·7 acres of land were purchased at a cost of about Rs. 1,20,000 in 1919 or thereabouts by the Utilization circle, Forest department, for the quarters of European staff at the Central Wood-Working Institute, Bareilly? That eight bungalows were built on this land at a further cost of about Rs. 1,45,000 including cost of electric wiring, fans, and water-supply?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :

(i) Yes.

(ii) Yes.

* 20. **Mr. Ashiq Husain Mirza :** Is it a fact that special plant was purchased to supply electricity to these bungalows and special arrangements had to be made for their water-supply? If so, will the Government be pleased to give the capital cost of this plant and arrangements? What is the cost per B. T. U. of electric energy produced at the institute including supervision?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. An electric plant was transferred from the Civil Hospital, Allahabad. It serves the institute, office, and residential quarters. A tube-well was put down by the Well Boring department for the supply of water to the institute, and pipes were laid on from this supply to the bungalows.

The cost of the tube-well was Rs. 11,872, and of the pipes Rs. 4,950. The cost of electric energy produced is 8 annas per unit, inclusive of supervision.

Mr. Ashiq Husain Mirza : Was any price paid for the electric plant?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It was transferred.

Mr. Ashiq Husain Mirza : The Civil Hospital is not under the same department? No reply.

* 21. **Mr. Ashiq Husain Mirza :** Will the Government be pleased to state—

(a) What was the cost of acquiring land for the boarding-house of the Central Wood-Working Institute?

How much land was acquired for the purpose?

(b) What was the cost of building the boarding-house?

(c) For how many students is accommodation provided in the boarding-house, and how many boarders are living in it? Has the boarding-house been fitted up with electric lights?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Nil. The land utilized for the boarding-house belonged to Government. No land was acquired and no cost incurred.

(b) Rupees 61,676.

(c) There is accommodation for 120 students. At present 30 students are in residence. Electric lights have not been fitted in the boarding-house,

Mr. Ashiq Husain Mirza : Is this the highest number of boarders that ever stayed in this boarding-house ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I ask for further notice as regards this question as to whether the number was the highest or it was rather higher.

* 22. **Mr. Ashiq Husain Mirza :** What is the highest and the lowest pay of the European employees of this institute when under the Forest department and at present ? Do all the European employees get free houses, free electric lights, and fans and free water-supply ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A reply will be given at a later date.

* 23. **Mr. Ashiq Husain Mirza :** What is the highest pay of the two Indian members of the technical staff of this institute and what are their qualifications ? Are free quarters, free electric light and fans, and free water-supply given to them also ? Has this ever been supplied free to them ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A reply will be given at a later date.

* 24. **Mr. Ashiq Husain Mirza :** Is it a fact that two of the senior members of the Indian staff recently applied to the Principal for permission to occupy one of the Instructors' bungalows recently vacated by a member of the European staff ? Was this referred to the Advisory Committee by the Principal ? Did the Advisory Committee disapprove of giving any of the European staff bungalows to any of the Indian staff ? Is it a fact that the committee on that particular day consisted of three Europeans and only two Indian members of the committee, and out of these two Indians only one was a non-official ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A reply will be given at a later date.

NANPARA AND PAYAGPUR COURT OF WARDS OFFICIALS.

* 25. **Thakur Hukum Singh :** (a) Is it a fact that some complaints were made to the District Magistrate, Bahraich, by the residents of Nanpara and Payagpur estates against the Court of Wards officials of those estates for their resorting to the long-prohibited *rasad* and *begar* system ?

(b) If so, will the Government be pleased to state what steps have been taken against the said officials ?

The Hon'ble Mr. S. P. O'Donnell : (a) The honourable member himself complained to the Deputy Commissioner of Bahraich and also sent a telegram to the Court of Wards regarding the impressment of carts in Nanpara. No complaints have been received about Payagpur.

(b) It appeared on inquiry that transport was needed urgently on a particular occasion and a responsible estate official was directed to procure carts to take tents a distance of 15 miles and to pay for them. Most of the carts belonged to estate tenants. Local agitators persuaded some of the carters to return home. Subsequently the Special Manager, while on tour heard that there had been complaints about non-payment for supplies to Raja Saadat Ali Khan during Christmas week. The

Special Manager after inquiry punished two of the estate sowars. It does not appear that any malpractices occurred in the matter of carts.

* 26. **Thakur Hukum Singh :** (a) Is it a fact that the tenants of village Baraon belonging to the Payagpur estate, whilst the Special Manager was on leave, gave an application to the officer in charge of the management of the said estate, alleging a charge of bribery against Sat Narain Lal, zildar of that estate, and as a result of an inquiry on that application by the said officer, he (Sat Narain Lal) was only transferred from Payagpur Khas to the Jagtapur zilladari, and is it also a fact that as soon as the Special Manager resumed the charge of the estate, he promoted Sat Narain Lal from the post of zilladar to the cadre of sarbarahkars?

(b) If so, will the Government be pleased to state what the subsequent causes were which necessitated the promotion of the man soon after his transfer?

The Hon'ble Mr. S. P. O'Donnell : (a) Complaints against Sat Narain Lal were received and were inquired into by the Deputy Commissioner during the absence of the Special Manager on leave. As a result of those inquiries Sat Narain Lal was transferred. He was officiating at the time of his transfer as sarbarahkar, and is still officiating in that capacity. He has not been permanently promoted.

(b) Does not arise.

Thakur Hukum Singh : Is it a part of the agreement that the tenants should be compelled to do Government work?

The Hon'ble Mr. S. P. O'Donnell : The carts were not impressed, but the tenants were asked if they were willing to go.

* 27. **Thakur Hukum Singh :** Will the Government be pleased to state for how many years Babu Hari Shankar, Sub-Divisional Officer of tahsil Nanpara, has been in Bahraich district?

The Hon'ble Mr. S. P. O'Donnell : Since the 1st of July, 1919.

RESTRICTIONS ON GRAZING IN RESERVED FORESTS, BAHRAICH.

* 28. **Thakur Hukum Singh :** (a) Is it a fact that the Government has laid certain restrictions on the number of cattle to be admitted for grazing in the Government reserved forests situated in Bahraich district?

(b) If the answer be in the affirmative, will the Government be pleased to cancel such restrictions and give admission to all the cattle of the vicinity on payment of the required fee?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) No recent restrictions have been imposed. Such restrictions as existed on the number of cattle in the Bhinga range of the Bahraich division have been removed; all villagers within three miles of the Bhinga reserves are now allowed to graze all their cattle on payment of reasonable fees.

(b) Does not arise.

Thakur Hukum Singh : Will the Hon'ble the Home Member be pleased to state whether such restrictions still exist in the reserved forests of the Bahraich division?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I ask for further notice.

Sir LAND OF LATE RANI CHANDRAJ KUNWAR OF PAYAGPUR.

* 29. **Thakur Hukum Singh :** (a) Is the Government aware that the *sir* land of late Rani Chandraj Kunwar of Payagpur estate, situated in villages Suchauli, Machyai, and a few others, and which after her death lapsed to the estate, has been leased out to tenants ?

(b) If so, will the Government be pleased to state whether it was done with previous sanction of the Board and also the reasons for creating such tenancy in the said land ?

The Hon'ble Mr. S. P. O'Donnell : (a) The *sir* was sublet while the late Rani was still alive.

(b) It was sublet under orders passed by the Court of Wards in 1919, as the estate was heavily encumbered, and the Rani had ample private means for her support. During the last year of her life the Rani had several conversations with the Member of the Board in charge of Court of Wards regarding matters connected with the estate, but she never made any complaint about this transaction.

Thakur Hukum Singh : I want to know whether this *sir* land was sublet when the Rani was living ?

The Hon'ble Mr. S. P. O'Donnell : I have already said that the *sir* in question was sublet when the Rani was alive.

COUNCIL ELECTIONS.

* 30. **Thakur Hukum Singh :** (a) Is it a fact that the Chairman, District Board, Bahraich, made the school teachers and pound clerks to work for him in the United Provinces Council elections held on the 7th December, 1923 ?

(b) If so, will the Government be pleased to state whether the said Chairman was authorized to do so for his private purposes ?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

CENTRAL WOOD-WORKING INSTITUTE, BAREILLY.

* 31. **Mr. Ashiq Husain Mirza :** Is it a fact that during the last five years ending 31st March, 1923, the total expenditure after deducting all revenue on the Central Wood-Working Institute has been very nearly 19½ lakhs of rupees ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The amount has been about 19 lakhs.

* 32. **Mr. Ashiq Husain Mirza :** Is it a fact that during the above period the average cost per student at this institute has been nearly Rs. 1,500 per annum ? And that the average market value of passed students of this institute after three to five years of training is only about Rs. 500 per annum ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government are informed that the average annual cost per student has been about Rs. 987. Government have no definite information as to the average market value of the students who have been trained at the institute.

Mr. Ashiq Husain Mirza : Is the average for the last year or for a number of years ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : For a number of years.

Mr. Ashiq Husain Mirza : For how many number of years ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Since 1911.

Babu Mohan Lal Saksena : What is the average for the last year ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I ask for notice.

* 33. **Mr. Ashiq Husain Mirza :** Is it a fact that this institute either as a Carpentry School or Wood-Working Institute has been in existence since 1911 ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

* 34. **Mr. Ashiq Husain Mirza :** How many passed students of this institute are now working in the furniture trade of Bareilly ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : So far as Government knows, about fifty.

Mr. Ashiq Husain Mirza : Is the Government certain that there are only 50 who are engaged in this trade ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is already stated in the answer that we are not certain of anything.

Mr. Ashiq Husain Mirza : Will the Government be pleased to make inquiry in the matter ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is difficult to know what the students do when they go out of the institute, as they do not report to Government as to where they are.

Mr. Ashiq Husain Mirza : Bareilly is a very small place and Government can make inquiries very easily.

* 35. **Mr. Ashiq Husain Mirza :** What is the necessity of maintaining two Carpentry schools in the province ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Because each supplies a distinct need.

Mr. Ashiq Husain Mirza : May I know how the Wood-Working Institute at Allahabad is carried on ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The difference between the two institutes is, that at Allahabad boys do their work with hands, as the work there is of elementary character, while at Bareilly they are taught to work with machinery.

Mr. Ashiq Husain Mirza : Is there no machinery in Allahabad ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I have already stated that the work there is of an elementary character and that no machinery is required there.

Mr. Ashiq Husain Mirza : Was the Economy Committee in favour of

The Hon'ble the President : This question does not arise.

* 36. **Mr. Ashiq Husain Mirza :** Will the Government be pleased to state who is or has been the Kila Timber Seasoning Expert at the

Wood-Working Institute, Bareilly? What previous experience has he of the subject? How much money has been spent on these experiments and with what results?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: An officer has been lent free of charge by the Forest Research Institute, Dehra Dun, who has special experience of the work. There is no separate record of the amount spent on these experiments, but results are promising and orders from outside have already been secured.

Mr. Ashiq Husain Mirza: Have the results been published?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I think, no.

Mr. Ashiq Husain Mirza: What is the cost per cubic feet of seasoning?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I cannot say.

IMPERIAL AND PROVINCIAL SERVICE OFFICERS.

* 37. **Mr. Ashiq Husain Mirza:** Will the Government be pleased to state how many officers of the Imperial and Provincial Services are at present partly employed and paid by the Government, and partly employed and paid by private individuals, firms or companies? Will the Government be pleased to give their names, together with the names of their part-time employers, their designation and pay, and the departments to which they belong? Also the work they are doing for their respective employers?

The Hon'ble Mr. S. P. O'Donnell: Reports from all departments show that there are no such officers.

Mr. Ashiq Husain Mirza: Is the Government in favour of such a practice?

The Hon'ble Mr. S. P. O'Donnell: I do not think the question arises.

SUPPLY OF EXPERTS TO INDUSTRIALISTS.

* 38. **Mr. Ashiq Husain Mirza:** Will the Government be pleased to state if it is the intention or rule of the Department of Industries to supply trained experts at public expense to industrialists of this province without restriction of caste, colour or creed?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Only in very special circumstances. But the Industrial Chemist and his assistant give information and advice to any industrialists of the province who apply to them. Inquiries which involve prolonged investigation are referred to the chemists attached to the Technological Institute.

Mr. Ashiq Husain Mirza: Are Engineers included in Chemists?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: We have included nobody nor have we excluded anybody. We have lent services of our experts in very special circumstances.

Mr. Ashiq Husain Mirza: Is the Government aware that a certain engineer drawing Rs. 750 per month was lent to a firm recently.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The question is not audible to me.

Mr. Ashiq Husain Mirza : Is the Government aware that a certain engineer drawing Rs. 760 per month was lent to a firm recently?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We have no information of his drawing such a pay.

Mr. Ashiq Husain Mirza : Will the Government be pleased to make inquiries?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

Mr. Mukandi Lal : Are these Industrial Chemists paid by the private firms for their opinions they give them?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

BOAT-BUILDING IN WOOD-WORKING INSTITUTE, BAREILLY.

* 39. **Mr. Ashiq Husain Mirza :** Will the Government be pleased to state if boat-building is or has been taught in the Wood-Working Institute, Bareilly?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

* 40. **Mr. Ashiq Husain Mirza :** Has a boat ever been built in that institute? If so, of what local or foreign timber was it made, for whom was it built, what price was paid for it, what was its cost to Government including supervision, and how much boat-building materials are now lying at the institute and of what value? Is there a demand for boats in Bareilly? Will the Government be pleased to state who owns and uses this boat at present, and for what purpose is it being used?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : On two occasions; one boat was built for the Naini Tal Boat Club, and one for Messrs. Raywood and Kinns, the price paid in the former case being Rs. 276 and Rs. 280 in the latter. The boats were built of *deodar*, *shisham*, and teak wood, and the price paid represented the estimated cost of construction. No special boat-building materials are lying at the institute, and there is no demand for boats in Bareilly. The boats built are in the possession of the persons for whom they were constructed.

Mr. Ashiq Husain Mirza : Who are Messrs. Raywood and Kinns?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not know.

Mr. Ashiq Husain Mirza : Is not Mr. Kinns the Principal of the institute?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not sure if he is the same man.

Mr. Ashiq Husain Mirza : Is he not still there?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think he is still there.

Mr. Ashiq Husain Mirza : Is the Government prepared to build boats at this figure for other private people?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I have already said that it is the cost price.

Mr. Ashiq Husain Mirza : Will the Hon'ble Minister say why a speciality has been made in the case of a certain class of people?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : This inquiry will also be made at the same time.

Rai Bahadur Lala Sita Ram : May I ask a supplementary question with regard to question No. 40 ?

The Hon'ble the President : Yes.

Rai Bahadur Lala Sita Ram : Is the Hon'ble Minister in a position to say whether any special machinery was bought for the purpose of making boats ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As far as I am aware, no special machinery was bought for this purpose.

Mr. Mukandi Lal : Is Messrs. Raywood and Kiuns a firm ?

The Hon'ble the President : The Hon'ble Minister has already said that he does not know who they are.

MACHINERY FOR WOOD-WORKING INSTITUTE, BAREILLY.

* 41. **Mr. Ashiq Husain Mirza :** Will the Government be pleased to state who has been responsible for buying the machinery at the Wood-Working Institute, Bareilly ? Is the Government aware that a great deal of machinery is lying about the place which is absolutely useless and unworkable ? How much machinery has been sold from the institute in the past and with what losses and why ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The officers authorized by article 69 of the Forest Department Code were responsible. Government are not aware that any useless machinery is at present at the institute. Surplus machinery has recently been sold, to the value of Rs. 10,200, but no loss was incurred, because the machinery was not worth more than the price fetched.

Mr. Ashiq Husain Mirza : Has any independent opinion been taken about the useless machinery lying in the institute ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It was decided by our own experts.

Mr. Ashiq Husain Mirza : Is not the advisory committee capable of advising the Hon'ble Minister on the subject ?

CONSERVATOR OF FORESTS, UTILIZATION CIRCLE.

* 42. **M. Ashiq Husain Mirza :** (a) Is it a fact that the Conservator of Forests, Utilization circle, is now being partly paid by the Government and partly by the companies who have taken over the Bobbin and Turpentine Factories ?

(b) Will the Government be pleased to state what work is being done by the Conservator for the companies and the Government respectively, and how much has the Conservator to do with the supply of raw material from the Forest department to the companies ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) No.

(b) The Conservator is at present engaged in winding up outstanding matters in connection with the closing down of the Government management of the Resin and Bobbin factories and safeguarding Government interests in connection with the formation of the new companies. He is also engaged in arranging generally the supply of raw material in correspondence with other Conservators and Divisional Forest Officers.

Mr. Ashiq Husain Mirza : Is he being paid partly by the Government and partly by the companies ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No.

The Hon'ble the President : The question has already been answered.

Mr. Mukandi Lal : Is he the prospective Director of these companies ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Government has no information.

REPORT OF THE MEDICAL REORGANIZATION COMMITTEE.

* 43. **Rai Bahadur Lala Sita Ram :** Will the Government be pleased to have the report of the Medical Reorganization Committee published, together with a statement showing in what respect and to what extent its recommendations have been given effect to ?

The Hon'ble Rai Rajeshwar Bali : It is understood that the honourable member's reference is to the report of the small committee appointed by the Local Government in 1921. This report is lengthy, and on grounds of economy Government are unable to accept the suggestion to publish it. A copy of the report has, however, been placed in the Council Library and if the honourable member will indicate in writing the recommendations in regard to which he desires information, it will be supplied to him.

Rai Bahadur Lala Sita Ram : When was this report submitted to Government ?

The Hon'ble Rai Rajeshwar Bali : In 1921.

Rai Bahadur Lala Sita Ram : When was it placed in the library ?

The Hon'ble Rai Rajeshwar Bali : Only recently.

MEDICAL OFFICER IN CHARGE OF HOSPITAL.

* 44. **Rai Bahadur Lala Sita Ram :** Will the Government be pleased to state what exactly is meant by the designation " Medical Officer in immediate charge of a hospital ? " Has this taken the place of the word " Assistant Civil Surgeon ? "

If so, who is supposed to be in ultimate charge of a hospital ?

The Hon'ble Rai Rajeshwar Bali : The designation " Medical Officer in immediate charge of a hospital " means an officer of the P. M. S. or the P. S. M. S., as the case may be, holding charge of a hospital subject to the control of the Civil Surgeon. The answer to the second part of the question is in the negative.

The Civil Surgeon is in ultimate charge of such a hospital.

PASSENGER-TAX IN THE ALLAHABAD MUNICIPALITY.

* 45. **Rai Bahadur Lala Sita Ram :** From what date did the Allahabad municipal board impose a passenger-tax on passengers entering or leaving Allahabad ?

The Hon'ble Rai Rajeshwar Bali : The 15th January, 1924.

* 46. **Rai Bahadur Lala Sita Ram :** From what date is this tax being realized ?

The Hon'ble Rai Rajeshwar Bali : The Oudh and Rohilkhand Railway began collection of the tax on the 1st January ; the other two railways on the 1st February.

* 47. **Rai Bahadur Lala Sita Ram:** Will the Government be pleased to state who will take the proceeds of the passenger-tax levied in the aforesaid manner?

The Hon'ble Rai Rajeshwar Bali: The Allahabad municipal board.

* 48. **Rai Bahadur Lala Sita Ram:** Will the Government be pleased to divert it to the Magh Mela Fund or some other charitable purpose?

The Hon'ble Rai Rajeshwar Bali: The Government have no power to do so.

* 49. **Rai Bahadur Lala Sita Ram:** Will the tax so levied prior to 15th January be refundable to those who want to take it back?

The Hon'ble Rai Rajeshwar Bali: The honourable member appears to be asking for an opinion, to which under the Council rules he is not entitled.

Rai Bahadur Lala Sita Ram: Will Government be pleased to consult their legal officers as to the legality of this tax realized by the Oudh and Rohilkhand Railway for the municipal board of Allahabad?

The Hon'ble Rai Rajeshwar Bali: We will do so.

APPLICATION OF SECTION 144, CRIMINAL PROCEDURE CODE TO
THE BAGESHWAR FAIR, ALMORA.

* 50. **Rai Bahadur Lala Sita Ram:** What were the circumstances which led to the application of section 144, Criminal Procedure Code, to the Bageshwar Fair, Almora district? Was it applied in previous years as well and, if so, when?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Since 1921 this fair has been an annual focus of seditious agitation and defiance of authority. Orders under section 144, Criminal Procedure Code, were issued in 1922. The orders were deliberately defied and over 50 arrests were necessary. Disorderly and provocative demonstrations occurred which were difficult to deal with owing to the absence of regular police in the hills.

In 1923 no previous prohibitions were issued, but experience on the first day made it necessary to use section 144, Criminal Procedure Code, again. The orders were again defied with considerable success owing to the disability already stated.

This year meetings and processions of the type which had caused disorder in previous years were forbidden for the reasons contemplated by section 144, Criminal Procedure Code, and means were adopted to secure that the orders would be respected. The orders passed were necessary for the maintenance of the public tranquillity.

Mr. Mukandi Lal: For how long did that seditious agitation in the fair go on in 1921? For how many days or months?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Throughout the fair.

Mr. Mukandi Lal: For how long does that fair last?

Mr. Damodar Das: Was there any casualty or *marjit* in 1921?

Mr. Mukandi Lal: Is it not a fact that the fair lasts only for a day?

The Hon'ble the President: One question at a time.

Pandit Govind Ballabh Pant : Were any persons convicted of sedition in connection with this fair for delivering seditious speeches under sections 124-A and 153-A during any of the years from 1921 to 1923?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : So far as I know, no conviction was made.

Pandit Govind Ballabh Pant : Was there a breach of the peace on any of these occasions?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I ask for further notice.

Pandit Govind Ballabh Pant : Was any Government servant assaulted on any of these occasions?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No.

Pandit Govind Ballabh Pant : Will the Government be pleased to state the nature of the seditious agitation that was carried on there and how the fair was regarded as an annual focus of seditious agitation?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : If any honourable member wishes to have any further information in this connection I am quite prepared, with the sanction of the Governor in Council, to show him the file on the subject, but it is not in the interests of law and order to disclose every matter in this Council.

Pandit Govind Ballabh Pant : Was any person prosecuted under the law or convicted under section 124A or 153A on account of the speeches delivered on the first day of the fair in 1923.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I do not think there was any conviction.

Babu Sita Ram : How does the question of law and order arise?

The Hon'ble the President : It is much too vague.

Pandit Govind Ballabh Pant : Will the Government be pleased to state how the demonstrations were regarded as disorderly and provocative?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : As they were so reported by the officers on the spot.

Pandit Govind Ballabh Pant : The Government itself has not considered the nature of these demonstrations, I understand?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The Government must rely on the statements of its officers.

Pandit Govind Ballabh Pant : I think the whole of this statement is based on the information received from the District Officer or from the officer in charge of the *mela* and does not represent the considered opinion of the Government?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : It does.

The Hon'ble the President : The honourable member must remember that it is not a cross-examination in court.

Mr. Mukandi Lal : Was the Government in possession of any definite opinion that there was a likelihood of a breach of the peace and therefore section 144 was applied ?

VILLAGE PANCHAYATS.

* 51. **Pandit Sri Krishna Dutt Paliwal :** (a) Will the Government be pleased to state the total number of village *panchayats* that have been established in the United Provinces of Agra and Oudh under the Village Panchayat Act, VI of 1920 ?

(b) As under section 37 of that Act all the summonses issued by *panchayats* are generally required to be served and all legitimate orders passed by them to be carried out by *chaukidars*, have all the villages where *panchayats* have been established got *chaukidars* stationed there ? If not, how many villages are there which have got *panchayats* but no *chaukidars*, and why ?

The Hon'ble Rai Rajeshwar Bali : (a) 4,184.

(b) The Government have no exact information, but there are probably villages in which *panchayats* have been established but where no *chaukidar* is stationed. The collection of the information asked for in the last sentence of the question would entail considerable labour and would serve no useful purpose, seeing that Government could not agree to increase the number of *chaukidars* simply in order to meet the requirements of village *panchayats*. Under section 37 of the Panchayat Act *panchayats* have the power to use persons other than the *chaukidar* for the service of summons and it is proposed to amend the rules made under the Act so as to authorize the payment to such persons of the fees for the service of summonses.

Pandit Sri Krishna Dutt Paliwal : Under section 37 of the Village Panchayat Act can the *panchayats* use persons other than *chaukidars* for carrying out legitimate orders ?

The Hon'ble Rai Rajeshwar Bali : They cannot at present, but we are thinking of amending the Act.

Pandit Sri Krishna Dutt Paliwal : In that case how are *panchayats* which have no *chaukidars* in their jurisdiction to carry on their orders ?

The Hon'ble Rai Rajeshwar Bali : Rules will be issued very soon.

DAULATPUR VILLAGE PANCHAYAT.

* 52. **Pandit Sri Krishna Dutt Paliwal :** (a) Is there a village *panchayat* at Daulatpur in tahsil Dalmau of Rae Bareilly district ?

(b) Is it a fact that there has been a *chaukidar* in that village for the last 50 years, and has the last *chaukidar* been only lately dismissed ?

(c) Is it also a fact that a fresh *chaukidar* has not been appointed in his place ? If so, why ?

(d) Is it a fact that a suitable candidate, a resident of Daulatpur, was recommended by the *panchayat* for appointment as a *chaukidar* but was rejected ? If so, why ?

(e) Is it also a fact that representations were made by the *panchayat* of Daulatpur for the appointment of a chaukidar there, stating that in the absence of a chaukidar the work of the *panchayat* was suffering, as it was very difficult to get hold of a chaukidar whenever required from another village of the *panchayat* circle? How were these representations dealt with?

(f) If the answer to (c) above be in the affirmative, will the Government give orders for the appointment of a chaukidar at Daulatpur now?

* **The Hon'ble Rai Rajeshwar Bali:** Inquiry is being made and an answer will be given at a later date.

HORSE SHOW, EXHIBITION, AND FAIR AT MUZAFFARNAGAR.

* **53. Rai Bahadur Thakur Mashal Singh:** Is it a fact that the Magistrate and Collector of Muzaffarnagar ordered each tahsildar to collect a certain fixed sum for the annual horse show, exhibition, and fair?

* **The Hon'ble Mr. S. P. O'Donnell:** Yes.

54. Rai Bahadur Thakur Mashal Singh: If the answer to the above question be in the affirmative, will the Government be pleased to lay on the table a copy of the said order?

* **The Hon'ble Mr. S. P. O'Donnell:** This has been called for and will be laid on the table when received.

* **55. Rai Bahadur Thakur Mashal Singh:** (a) To which Darbaris did the above-mentioned order of the said District Officer relate?

(b) Is there any separate list of Darbaris kept by the District Officers besides the Provincial or Divisional list?

(c) If not, is a Collector competent not to invite to a Darbar a Darbari included in the Provincial or Divisional list if he does not pay the subscription in compliance with the District Officer's order?

* **The Hon'ble Mr. S. P. O'Donnell:** (a) Apparently to the Darbaris borne on the Divisional list.

(b) Darbar lists are kept by divisions. District lists merely show the names of residents in the district who are entitled to places in Divisional lists.

(c) The District Officer subsequently revised his order intimating that all Darbaris would be invited whether they had subscribed or not.

* **56. Rai Bahadur Thakur Mashal Singh:** What steps has the Government taken or proposes to take against the said District Officer so as to prevent the recurrence of such orders?

The Hon'ble Mr. S. P. O'Donnell: The matter is under consideration.

* **57. Rai Bahadur Thakur Mashal Singh:** Is it a fact that such orders are common in other districts or the province as well?

The Hon'ble Mr. S. P. O'Donnell: The answer is in the negative.

* **58. Rai Bahadur Thakur Mashal Singh:** If so, will the Government be pleased to issue strict orders restraining the District Officers from forcing their subordinate executive officers to collect subscriptions by force or undue influence?

The Hon'ble Mr. S. P. O'Donnell : Does not arise. The orders on this subject are clear.

Rai Bahadur Thakur Mashal Singh : Did the District Officer reverse the order on his own initiative or at the instance of Government?

The Hon'ble Mr. S. P. O'Donnell : He did it on his own initiative.

Pandit Brijnandan Prasad Misra : Is this the District Officer under whose régime the Dhari Wala tragedy was enacted by the police?

The Hon'ble the President : The question does not arise.

MISAPPROPRIATION OF *tagavi* IN HARDOI.

* 59. **Rai Bahadur Thakur Mashal Singh :** With reference to the reply by the Hon'ble Mr. Fremantle to my questions Nos. 35—40 put on the 28th of October, 1922, will the Government be pleased to state the result of the inquiry in the cases of the naib-tahsildars?

The Hon'ble Mr. S. P. O'Donnell : No further information has been received as to the deficits in the *tagavi* accounts in tahsil Bilgram, district Hardoi, and it is presumed accordingly that no defalcations were discovered. Inquiry, however, is being made.

* 60. **Rai Bahadur Thakur Mashal Singh :** Is it a fact that the defalcation in the *tagavi* realizations in the district of Hardoi were not confined only to tahsil Bilgram, but occurred in Sandila and Hardoi tahsils as well?

The Hon'ble Mr. S. P. O'Donnell : No report has been received of defalcations in tahsil Hardoi. The Deputy Commissioner reported in July last that he suspected embezzlement in respect of Rs. 144-15-6 but no further report has been received. An inquiry is being made. A miscredit was reported from tahsil Sandila.

* 61. **Rai Bahadur Thakur Mashal Singh :** (a) Has the inquiry in the cases that were detected been completed?

(b) If the answer of the above be in the affirmative, has the responsibility for the defalcations been fixed on any particular individuals?

(c) What steps have been taken against those individuals?

The Hon'ble Mr. S. P. O'Donnell : The honourable member is referred to the answer given to question No. 59 of today's date. As at present no actual defalcation has been reported, part (c) does not arise.

* 62. **Rai Bahadur Thakur Mashal Singh :** (a) Were these defalcations reported to the Public Accounts Committee?

(b) If not, why not?

The Hon'ble Mr. S. P. O'Donnell : (a) The honourable member is referred to the answer to question No. 61 of today's date.

(b) The question does not arise.

* 63. **Rai Bahadur Thakur Mashal Singh :** In view of the vastness and complexity of accounts, will the Government be pleased to appoint an expert auditor for checking all the *tagavi* accounts in the Bilgram, Sandila and Hardoi tahsils of district Hardoi in order to find out the real culprits?

The Hon'ble Mr. S. P. O'Donnell : Government has no information which would justify the expense of appointing an auditor.

Rai Bahadur Thakur Mashal Singh : With reference to answer to question No. 59 may I know the results of the inquiry which was being made in 1922 as stated in the answers given in October, 1922? Was any report submitted to Government?

The Hon'ble Mr. S. P. O'Donnell : We have no information at present but we are calling for a full report on the subject.

Rai Bahadur Thakur Mashal Singh : Is it not a fact that a *tagavi* moharrir was actually prosecuted for defalcation?

The Hon'ble Mr. S. P. O'Donnell : Yes, I believe he was.

Pandit Brijnandan Prasad Misra : Was not the former reply that a prosecution had already taken place?

The Hon'ble Mr. S. P. O'Donnell : I do not know the exact facts of the prosecution, but I will make inquiries and let the honourable member know.

SARDA CANAL.

* 64. **Rai Bahadur Lala Sita Ram :** Will the Government be pleased to state what the depth of the sub-soil water level is in districts of Kheri, Pilibhit, Sitapur, Shahjahanpur, and Hardoi and what would be the depth of the (1) main canal and (2) channels or distributaries of the Sarda canal in the said districts?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

* 65. **Rai Bahadur Lala Sita Ram :** Is it true that there is a serious danger of the area served by the Sarda canal being water-logged?

The Hon'ble Mr. S. P. O'Donnell : The possibility of water-logging exists wherever canals are introduced and in parts of the Sarda the danger exists.

Rai Bahadur Lala Sita Ram : Is it true, Sir, that there is not a possibility but a certainty of this taking place?

The Hon'ble Mr. S. P. O'Donnell : I will ask the honourable member to wait for answers to be given to questions Nos. 66 and 67.

* 66. **Rai Bahadur Lala Sita Ram :** Will the Government be pleased to state whether this aspect was considered by its experts? If so, when?

The Hon'ble Mr. S. P. O'Donnell : The question was examined by experts in 1920, when the revised estimate of the Sarda Oudh canal was prepared, and again in December, 1921.

* 67. **Rai Bahadur Lala Sita Ram :** Have engineers again brought this matter to the notice of the constructing authorities or Government? If so, what inquiry has been made into it?

The Hon'ble Mr. S. P. O'Donnell : The matter has not been brought to the notice of Government by any outside engineers, but is receiving close attention. By restricting irrigation where spring level is high and by draining jhils and other depressions, it is hoped to maintain or even to lower the present level of sub-soil water.

* 68. **Rai Bahadur Lala Sita Ram**: What amount of money has up to the end of 1923 been spent in connection with the Sardar canal on (a) buildings; (b) establishment; (c) machinery; (d) miscellaneous, such as railway saloon, crockery, etc., and (e) compensation for the acquisition of land?

The Hon'ble Mr. S. P. O'Donnell: A reply will be given at a later date.

* 69. **Rai Bahadur Lala Sita Ram**: What total amount has been spent up to the end of the year 1923 over the Sardar canal?

The Hon'ble Mr. S. P. O'Donnell: A reply will be given at a later date.

* 70. **Rai Bahadur Lala Sita Ram**: When was compensation paid to landowners and land occupiers in the districts of Hardoi and Shahjahanpur and when was actual possession taken over the land?

The Hon'ble Mr. S. P. O'Donnell: A reply will be given at a later date.

IMPERIAL SERVICE OFFICERS.

* 71. **Rai Bahadur Lala Sita Ram**: Will the Government be pleased to lay on the table a statement showing departmentwise—

- (1) the number of Imperial Service officers who applied for retirement on proportionate pension in the years 1921, 1922, and 1923, separately?
- (2) the number of those who actually did retire in the said years?
- (3) the number of those who have since signified their willingness to return to duty?
- (4) the number of those who have been so permitted and have joined or are about to join?

The Hon'ble Mr. S. P. O'Donnell: The required statement is laid on the table.

Names of services.	Number of officers who applied for retirement on proportionate pension in—			Number of officers who actually did retire in—			Number of officers who have signified their willingness to return to duty.	Number of officers who have been permitted to return to duty and have joined or are about to join.
	1921.	1922.	1923.	1921.	1922.	1923.		
1. I. C. S. ..	4	6	3	..	3	6	1	1
2. I. P. S. ..	2	15	2	..	3	4	9	5
3. I. A. S. ..	1	..	..	..	1	..	..	..
4. Indian Service of Engineers.	2	4	5	..	1	3	..	..
5. I. E. S. ..	3	4	2	..	2	3	..	..
6. I. F. S. ..	2	5	..	..	2	2	1	1
7. Indian Civil Veterinary Service ..	..	1	..	..	..	..	..	..
Total ..	14	35	12	..	12	18	11	7

JOINT SECRETARY TO EXECUTIVE COUNCILLORS.

* 72. **Dr. Shafa'at Ahmad Khan :** Has the attention of the Government been drawn to the Devolution Rules, which lay down that a Joint Secretary will be associated with the Member of the Executive Council? Has any Joint Secretary been suggested by the Ministers?

* **The Hon'ble Mr. S. P. O'Donnell :** The Devolution Rules have attracted the attention of the Government.

The answer to the second part of the question is in the negative.

ECONOMIC CONDITION OF THE PEOPLE.

*73. **Dr. Shafa'at Ahmad Khan :** Does the Local Government intend to appoint a committee to inquire into the economic condition of the people of these provinces in the near future?

The Hon'ble Mr. S. P. O'Donnell : The honourable member has himself given notice of a resolution on this subject and the attitude of the Government will be indicated during the discussion thereof.

PROMOTION OF DEPUTY SUPERINTENDENTS OF POLICE.

* 74. **Dr. Shafa'at Ahmad Khan :** Is it a fact that out of the four Deputy Superintendents of Police who have been promoted Superintendents of Police, only two were Deputy Superintendents and, if so, how far and to what extent, has the promise to reserve 11 per cent. of vacant posts of Superintendents of Police for Deputy Superintendents of Police been redeemed?

The Hon'ble Mr. S. P. O'Donnell : All four officers were originally Deputy Superintendents of Police. Two were first promoted to the Imperial Service as Assistant Superintendents; but were subsequently given Superintendships as promoted Provincial Service officers. Had their claims not been considered they would have found themselves superseded by officers who were originally junior to them in the Provincial Service.

Rai Bahadur Lala Sita Ram : Will Government be pleased to give a reply to the latter part of the question, namely "to what extent has the promise to reserve 11 per cent. of vacant posts of Superintendents of Police for Deputy Superintendents of Police been redeemed?"

The Hon'ble Mr. S. P. O'Donnell : The promise is being carried out. As I explained last year, by 1925 we will have the percentage we wish.

Pandit Nanak Chand : Is Government not in a position to tell us how long it will take to redeem the promise?

The Hon'ble Mr. S. P. O'Donnell : I have just given the answer.

Pandit Nanak Chand : Was the Government prepared in 1917 to give 8 posts to Deputy Superintendents of Police.

The Hon'ble Mr. S. P. O'Donnell : I do not see that the question arises and I must ask for notice of the question.

FREE AND COMPULSORY PRIMARY EDUCATION.

* 75. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to ask the opinion of the municipal and district boards of these provinces as regards the desirability or otherwise of the introduction of a system of free and compulsory primary education?

The Hon'ble Rai Rajeshwar Bali : The question of the honourable member, so far as municipal boards are concerned, is not understood. As regards district boards, their financial position is such that no useful purpose would be served at present by making the inquiry suggested by the honourable member.

BHANTU GANGS.

* 76. **Dr. Shafa'at Ahmad Khan :** What was the total Government expenditure on the capture of Bhanu gangs by Mr. Young

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Mr. Young's special force cost Rs. 38,682 last year and will cost Rs. 76,955 during the current financial year. It has done much other useful work besides successfully breaking up the formidable and elusive Bhanu gangs.

Pandit Brijnandan Prasad Misra : Is Mr. Young in his special post still pursuing the Bhanus ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : He is still being employed in other important work.

Mr. Mukandi Lal : How has this amount of expenditure been doubled ?

The Hon'ble the President : That question must be answered in the budget.

Mr. Mukandi Lal : Does the amount include expenses incurred at Bhageshwar, as he was deputed to that place also ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes.

Rai Bahadur Lala Sita Ram : Is Government aware that a good number of these Bhanus are concealed in the forests of Pilibhit ?

No answer.

CIVIL HOSPITAL, ALLAHABAD.

* 77. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state the amount spent on the maintenance of the Civil Hospital at Allahabad ?

The Hon'ble Rai Rajeshwar Bali : The honourable member is probably referring to the Colvin Hospital. The cost of the maintenance of the Colvin Hospital in the year 1922-23 was Rs. 21,330.

BHANTUS AND HABURAS, MORADABAD.

* 78. **Dr. Shafa'at Ahmad Khan :** Does the Government intend to remove the settlement of Bhanus and Haburas from Moradabad district ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The Government is keeping in view the possibility of removing the Bhanu settlements from Moradabad, Bareilly, and Bijnor, but no definite scheme is before it at present. In 1919 a proposal was under consideration for transferring all the Bhanus, etc., to a district more remote from the jungle, but this had to be dropped for lack of funds.

Mr. Mukandi Lal : Is Government aware that there is a dangerous settlement at Wazirabad also ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Government will take steps in this direction when funds permit.

Mr. Mukandi Lal : Is Government aware that some dangerous men have come out of it—particularly Sultan ?

No answer.

MEMORIAL OF MALLAH COMMUNITY, AGRA.

***79. Dr. Shafa'at Ahmad Khan :** Has the Government received two memorials, one from the Mallah community of Agra and the other from the All-India Nishada (Mallah) Conference through its Secretary, requesting the Government to file an appeal against the order of acquittal, dated the 11th October, 1923, passed by E. Bennet, Esq., Sessions Judge, Agra, in case No. 49 of 1923, King-Emperor versus S. W. Dorton and J. C. Rebellow ?

***80. Dr. Shafa'at Ahmad Khan :** Does the Government intend filing an appeal ?

***81. Dr. Shafa'at Ahmad Khan :** Is it a fact that the District Magistrate of Agra has recommended to Government to appeal ?

***The Hon'ble Raja Sir Muhammad Ali Muhammad Khan :** The memorials referred to were received by Government. An appeal has been filed against the acquittal in question.

TECHNICAL SCHOOLS.

***82. Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if the Department of Industries intends developing technical education in these provinces by the establishment of efficient technical schools ?

***The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Government not only intends, but is already taking all possible action for the establishment of such schools.

COTTAGE INDUSTRIES.

***83. Dr. Shafa'at Ahmad Khan :** By what methods is it intended to develop the cottage industries of these provinces ?

***The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** By such methods as are likely to prove most successful.

DEPUTATION OF MEN OF THE CO-OPERATIVE CREDIT SOCIETIES TO THE PUNJAB AND MADRAS.

***84. Dr. Shafa'at Ahmad Khan :** Has the Department of Co-operative Credit Societies sent anybody to the Punjab and Madras to study the methods adopted by the departments of those provinces ?

***The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** An Assistant Registrar of Co-operative Societies visited the Punjab in the year 1920-21 to see the working of the co-operative movement in that province, but no officer of the department has been to Madras.

APPOINTMENTS TO THE NATIVES OF THESE PROVINCES.

***85. Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to issue an order to all the heads of Government departments asking them to give preference to the natives of these provinces in the matter of appointments ?

***The Hon'ble Mr. S. P. O'Donnell:** The honourable member is referred to the answers to unstarred questions Nos. 28 and 29 for January 31. The Governor in Council does not propose to vary the existing orders on this subject.

***86 Dr. Shafa'at Ahmad Khan:** Does the Government intend to modify the rule whereby anybody who has resided for three years in these provinces is eligible for all posts?

The Hon'ble Mr. S. P. O'Donnell: The answer is in the negative

HORSE SHOW AT MUZAFFARNAGAR.

***87. Dr. Shafa'at Ahmad Khan:** Did the Magistrate of Muzaffarnagar compel the leading *raisas* of that district to contribute to the support of the horse show there? Is it a fact that they were obliged to promise handsome subscriptions?

The Hon'ble Mr. S. P. O'Donnell: The answer to both parts of the question is in the negative.

MEDICAL SCHOOL.

***88. Dr. Shafa'at Ahmad Khan:** Do the Government intend to build another medical school in these provinces? If so, where?

The Hon'ble Rai Rajeshwar Bali: A proposal to open a second medical school has been considered by Government, but has been shelved for the present for want of funds. Bareilly was chosen as the site of the new school.

REVENUE REALIZED THROUGH CIVIL COURTS AT GORAKHPUR.

***89. Khan Bahadur Mr. Muhammad Ismail:** Will the Government state the amount of revenue realized through the civil courts at Gorakhpur in consequence of the enhanced court-fees?

The Hon'ble Mr. S. P. O'Donnell: The figures are not available. To obtain them it would be necessary, firstly, to cause the civil courts concerned to collect the figures of court-fees actually paid since 1st May, 1923, from the original records; and secondly, to calculate what the fees due on every record would have been if there had been no enhancement. The labour involved in this would be disproportionate to any advantage that could accrue from the information, and Government therefore do not propose to undertake the task.

CIVIL COURT BUILDINGS AT GORAKHPUR.

***90. Khan Bahadur Mr. Muhammad Ismail:** Is the Government aware that the civil court buildings at Gorakhpur are entirely insufficient to accommodate all the courts and offices attached to the said court?

***91. Khan Bahadur Mr. Muhammad Ismail:** Is the Government aware that some of the Judicial officers in Gorakhpur have to hold their courts in the clients' shed or verandahs of the court buildings and sometimes in the Bar Association Hall?

***92. Khan Bahadur Mr. Muhammad Ismail:** Is the Government aware that the furniture in the aforesaid courts is insufficient?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Inquiry is being made and answers will be given at a later date.

FENCING ALONG THE RAILWAY LINE FROM BHATNI TO BENARES.

*93. **Khan Bahadur Mr. Muhammad Ismail:** Is the Government aware that there is no fencing along the railway line from Bhatni to Benares ?

The Hon'ble Mr. S. P. O'Donnell: Yes. The line is unfenced except for the last three miles near Benares which are fenced.

*94. **Khan Bahadur Mr. Muhammad Ismail:** Will the Government be pleased to state the number of accidents to men and animals on the railway line between the aforesaid stations ?

The Hon'ble Mr. S. P. O'Donnell: No separate statistics are kept for this section. The information can, however, be obtained if a period is mentioned for which the information is required.

*95. **Khan Bahadur Mr. Muhammad Ismail:** Is the railway bound to provide fencing along the railway line ?

The Hon'ble Mr. S. P. O'Donnell: The railway is not bound to provide fencing.

*96. **Khan Bahadur Mr. Muhammad Ismail:** If the answer to starred question No. 93 is in the affirmative, will the Government be pleased to inquire from the Bengal and North-Western Railway Company the reason for the same ?

The Hon'ble Mr. S. P. O'Donnell: The main line of the railway is fenced, but on the section referred to where the traffic is not as heavy and which does not pass through such a populous tract fencing is not considered necessary, except in the vicinity of Benares.

GRANT TO CERTAIN SCHOOLS.

*97. **Lala Mathura Prasad Mehrotra:** Will the Government be pleased to state the number of boys as well as the amount of aid granted to Muhammadabad-Biswan Raja School, Sitapur and Maurawan high schools ?

The Hon'ble Rai Rajeshwar Bali: The number of boys in and the amount of aid granted to the schools in question is as follows:—

<i>Name of school.</i>	<i>Number of boys.</i>	<i>Amount of recurring maintenance grant in 1923-24.</i>
		<i>Rs.</i>
(1) Colvin High School, Mahmudabad ..	101	7,200
(2) Seth Jai Dayal High School, Biswan ..	110	5,400
(3) Raja School, Sitapur ..	196	4,800
(4) K. D. I. High School, Maurawan ..	158	7,800

***Lala Mathura Prasad Mehrotra:** Will Government state the main principles on which it aids these private schools ?

The Hon'ble Rai Rajeshwar Bali: They are stated in the Code.

***Mr. Mukandi Lal:** To what is it due that the Colvin schools with an attendance of 101 was given Rs. 7,200 and other schools with 110 . . .

The Hon'ble the President: The honourable member had better see the Code first and whether his question is not answered there.

ALLAHABAD TANNERIES.

*98. **Lala Mathura Prasad Mehrotra** : Will the Government be pleased to state the circumstances which led to the registration of the Allahabad Tanneries, Limited ?

The Hon'ble Mr. S. P. O'Donnell : The company was registered in the ordinary way under the Indian Companies Act.

*99. **Lala Mathura Prasad Mehrotra** : Will the Government be pleased to take some steps which may relieve the public of the loss in the company ?

The Hon'ble Mr. S. P. O'Donnell : The answer is in the negative. Government has no power to interfere under the Act.

***Lala Mathura Prasad Mehrotra** : Is Government aware that the public was deceived by this advertisement ?

The Hon'ble the President : That is a matter of opinion.

MEMORIAL OF MALLAH COMMUNITY, AGRA.

*100. **Mr. Mukandi Lal** : Has the Government received two memorials, one from the Mallah community of Agra and the other from the All-India Nishada (Mallah) Conference through its Secretary, requesting the Government to file an appeal against the order of acquittal dated the 11th October, 1923, passed by E. Bennet, Esq., Sessions Judge, Agra, in case No. 49 of 1923.

*101. **Mr. Mukandi Lal** : If so, does the Government intend taking any steps on them ?

*102. **Mr. Mukandi Lal** : Is it a fact that the District Magistrate of Agra has recommended to Government to appeal ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honourable member is referred to the answer given to starred questions Nos. 79 and 81.

DISTRICT BOARD, BUDAUN.

*103. **Chaudhri Badan Singh** : Is it a fact that the Chairman, District Board, Budaun, on the Board refusing to delegate extra powers to him, tendered his resignation from the chairmanship and handed it over to Mr. Nethersole, District Magistrate, Budaun, who was in fact not authorized to receive it and who kept it for more than a month without letting the Government know about it and finally returned the same to the Chairman ?

*104. **Chaudhri Badan Singh** : Will the Government call for an explanation from Mr. Nethersole for his action and show its sense of disapprobation at it ?

*105. **Chaudhri Badan Singh** : Is it a fact that in the Fair Committee constituted by the Budaun district board, Babu Lal Bahadur, Senior Vice-Chairman, was elected Secretary of the Fair Committee and the Magistrate, Mr. Nethersole, its Chairman ?

*106. **Chaudhri Badan Singh** : Is the Government aware that Mr. Nethersole used official influence to upset the decision of the Board in the matter of the appointment of the Secretary of the Fair Committee and arbitrarily appointed the paid Secretary of the District Board as the Secretary of the Fair Committee ?

* 107. **Chaudhri Badan Singh** : Is the Government aware that consequent on this episode a civil suit was filed by the Senior Vice-Chairman against the Magistrate and the Chairman, district board, which was finally withdrawn ?

* 108. **Chaudhri Badan Singh** : Is the Government aware that constant interference on the part of the Magistrate (Mr. Nethersole) in the administration of the district board is resented by members thereof and will it warn him to abstain from incessantly interfering in the board's affairs in future ?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

IMPRISONMENT OF TULSI RAM OF UJHANI.

* 109. **Chaudhri Badan Singh** : Is it a fact that Srijut Tulsi Ram and a copartner of his occupying a municipal shop in Ujhani was sentenced to three months' simple imprisonment or a fine of Rs. 50 simply for hoisting the national flag on the shop by Amir Ahmad Alvi, a magistrate, 1st class, on the 28th November, 1923 ?

The Hon'ble Mr. S. P. O'Donnell : No. These two persons were prosecuted at the instance of the Municipal Board, Ujhani, under section 448, Indian Penal Code. Raghubir Sahai bid for a municipal shop but his bid was not accepted. He proceeded to take forcible possession of the shop and was prosecuted in consequence.

* 110. **Chaudhri Badan Singh** : Is the Government aware that Chaudhri Tulsi Ram was occupying the shop by the consent of his partner who was in fact the tenant-in-chief and was paying its rent regularly ?

The Hon'ble Mr. S. P. O'Donnell : The partner and so-called tenant-in-chief was a trespasser. He was not paying its rent regularly.

* 111. **Chaudhri Badan Singh** : Will the Government send for the record in his case and get it examined by some expert in law ?

The Hon'ble Mr. S. P. O'Donnell : The answer is in the negative. The courts of appeal are open.

ROZA-HAPUR RAILWAY.

* 112. **Chaudhri Badan Singh** : Will the Government furnish information as to when the projected scheme of a broad gauge railway line from Roza to Hapur passing through Budaun will be undertaken ?

The Hon'ble Mr. S. P. O'Donnell : The Local Government is unable to say as the matter rests entirely with the Government of India.

TAGAVI DUES.

* 113. **Chaudhri Badan Singh** : Is it a fact that the Government has recently issued orders to the effect that the *tagavi* dues payable by a certain tenant should be chargeable from others in the same village in case the former is dead, absent, or unable to pay ? If the answer is in the affirmative, will the Government explain the principles underlying its policy ?

The Hon'ble Mr. S. P. O'Donnell : No such recent order is traceable. Joint security is of course accepted for loans.

MEMORIAL OF MALLAH COMMUNITY, AGRA.

*114. **Babu Bhagwati Sahai Bedar** : Has the Government received two memorials, one from the Mallah community of Agra and the other from the All-India Nishada (Mallah) Conference through its Secretary requesting the Government to file an appeal against the order of acquittal, dated the 11th October, 1923, passed by E. Bennet, Esq., Sessions Judge, Agra, in case No. 40 of 1923 ?

*115. **Babu Bhagwati Sahai Bedar** : If so, does the Government intend taking any steps on them ?

*116. **Babu Bhagwati Sahai Bedar** : Is it a fact that the District Magistrate of Agra has recommended to Government to appeal ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honourable member is referred to the answers given to starred questions Nos. 79 to 81.

UNSTARRED QUESTIONS.

ABOLITION OF SADAR QANUNGOSHIIPS.

1. **Thakur Hukum Singh** : (a) Is the Government aware that the sadar qanungos, as a result of the abolition of their posts, have been reduced to the status of clerks and have lost all future prospects ?

(b) If so, will the Government be pleased to state whether the Government has any idea of making some provision for at least such of them as are still working-hands in Government offices, to make amends for the loss of future prospects they have sustained in the abolition of their posts ?

Mr. J. R. W. Bennett : Sadar qanungos will continue to perform the same duties as before except that of inspection. Their status will be that of senior grade supervisors who are executive officers. They will continue to be eligible for promotion to naib-tahsildarship. To compensate them for the loss of promotion otherwise an additional post in the highest grade of supervisors has been created in each district.

CASES AGAINST COURT OF WARDS, PAYAGPUR AND NANPARA.

2. **Thakur Hukum Singh** : Will the Government be pleased to state the total number of cases instituted by or against the Court of Wards, Payagpur and Nanpara estates, each separately in the year 1922-23 ?

Mr. C. E. D. Peters : Inquiries are being made. The information will be given later.

EJECTMENT CASES IN OUDH.

3. **Thakur Hukum Singh** : Will the Government be pleased to lay on the table a statement showing the total number of ejectment cases filed in each district of Oudh in the current year ?

Mr. C. E. D. Peters : A statement is laid on the table. The classification of suits and applications is not accurate but the numbers may be taken as substantially correct. Orders are being issued to correct the classification.

Statement showing the number of applications for ejectment under sections 55 and 60 (1), Act XXII of 1886 and suits under section 61(1) of the Oudh Rent (Amendment) Act, IV of 1921 filed during the revenue year, 1922-23.

Districts.	Applications under section 55.					Applications under section 60(1) for assistance to eject.	Suits for ejectment for arrears [section 61(1) of the Oudh Rent (Amendment) Act, IV of 1921].	Total of columns 6 and 7.	Total of column 8.
	To eject statutory tenants.	To eject heirs of statutory tenants (section 48).	To eject ordinary tenants holding on long leases (section 59).	Others.	Total.				
1	2	3	4	5	6	7	8	9	10
Lucknow ..	6	18	547	783	1,354	455	..	1,812	..
Unao ..	..	10	..	1,274	1,284	721	..	2,005	..
Bae Bareilly ..	..	58	..	1,243	1,301	960	..	2,261	..
Sitapur ..	..	24	..	408	492	296	..	788	..
Hardoi ..	..	19	..	2,782	2,801	1,487	..	4,288	..
Kheri ..	324	51	..	438	813	579	778	1,392	778
Fyzabad ..	..	18	..	833	851	582	..	1,433	..
Gonda ..	..	17	..	1,456	1,473	1,447	..	2,920	..
Bahraich ..	13	38	..	1,479	1,530	1,023	..	2,553	..
Sultanpur ..	34	7	..	385	426	390	..	816	..
Partabgarh ..	..	18	..	995	1,013	568	..	1,581	..
Bara Banki ..	..	27	..	77	764	449	44	1,213	44
Total ..	377	305	547	12,873	14,102	8,960	822	23,062	822

POLICE CASES TRIED BY SUB-DIVISIONAL OFFICER, NANPARA.

4. **Thakur Hukum Singh :** (a) Will the Government be pleased to lay on the table a statement showing the total number of police cases tried by Sub-Divisional Officer, Nanpara tahsil, in the year 1922-23 and also in how many cases orders of conviction and in how many orders of acquittal or discharge have been passed by him?

(b) Will the Government also be pleased to lay on the table a statement showing the total number of complaint cases tried by the said Sub-Divisional Officer in the year 1922-23 and also in how many cases orders of conviction and in how many orders of acquittal or discharge have been passed by him?

Mr. J. R. W. Bennett : A combined statement giving the information is laid on the table.

Statement referred to in the answer to unstarred question No. 4 for the Council meeting of the 27th February, 1924, showing the total number of cases tried by the Sub-Divisional Officer, Nanpara tahsil, in the years 1922 and 1923.

Nature of case.	1922.					1923.					Remarks.
	Total number of cases.	Committed to Sessions court.	Convicted.		Acquitted or dis- charged.	Total number of cases.	Committed to Sessions court.	Convicted.		Acquitted or dis- charged.	
			Convicted.	Partially convicted, i.e., some accused only were convicted.				Convicted.	Partially convicted, i.e., some accused only were convicted.		
Police cases ..	142	17	105	4	16	118	17	81	43	17	* The figures of both these columns refer to the same cases hence only one has been included in the total.
Complaint cases ..	48	..	14	..	34	81	..	5	..	25	† Figure 4 includes one case in which one accused was acquitted before the case was com- mitted to Sessions court.

TOWN AREA OF BASTI.

5. **Maulvi Abdul Hakim** : Is the Government aware that the population of the town area of Basti is greater than that of several towns in the United Provinces having a municipality ?

Mr. G. B. F. Muir : Yes.

6. **Maulvi Abdul Hakim** : Will the Government be pleased to declare at an early date the town of Basti a notified area or a municipality ?

Mr. G. B. F. Muir : The question of converting Basti town area into a notified area is under examination.

JUDGESHIP AT BASTI.

7. **Maulvi Abdul Hakim** : Has there been any correspondence between the High Court and the Government about the establishment of a judgeship at Basti ?

Mr. J. R. W. Bennett : Yes.

8. **Maulvi Abdul Hakim** : If so, to what effect ?

Mr. J. R. W. Bennett : Government have accepted in principle the proposal to create a separate judgeship at Basti.

9. **Maulvi Abdul Hakim** : Is the Government aware that the new civil court buildings together with the old sessions house at Basti are quite sufficient for the establishment of a judgeship and that a suitable bungalow is available for the residence of the Judge ?

Mr. J. R. W. Bennett : No. The minimum accommodation required will not be available until additional court-rooms and a record-room have been constructed. The old sessions house will be pulled down as soon as the work of building additional court-rooms is started. A bungalow is available for the residence of the Judge.

10. **Maulvi Abdul Hakim** : Will the Government be pleased to say whether in this year a judgeship will be established at Basti ?

Mr. J. R. W. Bennett : No.

11. **Maulvi Abdul Hakim** : With reference to G. O. No. 2986-C.B./8-B., dated Naini Tal, the 29th June, 1920, to the Registrar, High Court, will the Government be pleased to say when the construction of the Bar Chambers at Basti will be commenced ?

Mr. J. R. W. Bennett : As soon as the Bar Association at Basti is prepared to meet the cost of construction.

KSHATTRIYAS IN THE JUDICIAL SERVICE.

12. **Rai Bahadur Thakur Mashal Singh** : With reference to the assurance given by the Chief Secretary to Government on the resolution moved by Thakur Jagannath Bakhsh Singh on the 31st of March, 1921, will the Government be pleased to state if the fact of the extremely meagre representation of the Rajput (Kshattriya) community in the Provincial Judicial Service has been brought to the notice of the High Court at Allahabad and the Judicial Commissioner's Court at Lucknow ?

Mr. G. B. Lambert : The answer is in the affirmative."

13. **Rai Bahadur Thakur Mashal Singh**: If the answer to the above question be in the affirmative, will the Government be further pleased to state if both the abovementioned Honourable Courts have taken any steps to redress the grievance by increasing the number of Rajputs (Kshattriyas) in the said service?

Mr. G. B. Lambert: In Oudh one Rajput (Kshattriya) was appointed in 1922. There was only one applicant in 1923. He was over age and therefore ineligible.

In Agra the High Court reports that the Court and the Selection Board have given the matter full consideration.

14. **Rai Bahadur Thakur Mashal Singh**: How many Rajputs (Kshattriyas) have been appointed in the Provincial Judicial Service both in Agra and Oudh since the 31st of March, 1921?

Mr. G. B. Lambert: In Oudh one.

In Agra two, and two more have been selected for appointment.

15. **Rai Bahadur Thakur Mashal Singh**: Will the Government be pleased to place on the table a statement showing by caste the present number of officers in the Provincial Judicial Service both in Agra and Oudh separately?

Mr. G. B. Lambert: In Oudh—

Muhammadans	..	..	..	..	18
Christians	..	..	..	..	NIL.
Hindus	..	..	..	..	44
U. P. Kayasthas	..	..	..	..	15
Bengali Kayasthas	..	..	..	..	3
U. P. Brahmins	..	..	..	..	10
Mahratta Brahmins	..	..	..	..	1
Bengali Brahmins	..	..	..	..	3
Kashmiri Brahmins	..	..	..	..	0
Bhargavas	..	..	..	..	1
Kshattriyas	..	..	..	..	2
Khatris	..	..	..	..	2
Jains	..	..	..	..	1
Total					62

The Oudh figures include 19 Sub-Judges, 37 Munsifs and 6 officiating Munsifs.

In Agra—

Muhammadans	..	..	..	..	33
Indian Christians	..	..	..	..	3
Parais	..	..	..	..	1
Hindus	..	..	..	..	103
Bengalis	..	..	..	..	11
Vaishas	..	..	..	..	25
Kayasthas	..	..	..	..	30
Khatris	..	..	..	..	5
Rajputs	..	..	..	..	6
Brahmins	..	..	..	..	25
Abirs	..	..	..	..	1
Total					140

16. **Rai Bahadur Thakur Mashal Singh :** Will the Government be pleased to advise the High Court and Judicial Commissioner's Court to accelerate the recruitment of Rajputs in the Judicial Service as vacancies occur so that their number might become proportionate to their population and importance in these provinces ?

Mr. G. B. Lambert : No further action is contemplated. It is not possible to arrange that the numerous communities in the provinces shall be proportionately represented in the Judicial service.

Sir LAND IN OUDH.

17. **Pandit Sri Krishna Dutt Paliwal :** (a) Will the Government be pleased to state what area, in acres or bighas, in Oudh, since the Oudh Rent Act, XXII of 1886, as amended by Act IV of 1921, has been converted into *sir* land under section 17(a), (b), (c) and (d) of that Act and (b) what proportionate reduction in land revenue or rent payable by proprietors or under-proprietors would thus be effected on that acreage ?

Mr. C. E. D. Peters : (a) It is presumed the honourable member refers to section 3(17). No fresh rights of *sir* have been conferred by clauses (a) and (b), which are the same as section 4(13) (a) and (b) of the Land Revenue Act, III of 1901. Rights under clause (d) will be acquired ten years after the commencement of the Oudh Rent (Amendment) Act, 1921. The area of the *khudkasht* which comes under clause (c) is 419,297 acres.

(b) The question would involve a long and expensive inquiry, the results of which would not justify the time, labour or money expended.

EJECTION OF HEIRS OF STATUTORY TENANTS IN OUDH.

18. **Pandit Sri Krishna Dutt Paliwal :** (a) Will the Government be pleased to state how many heirs of statutory tenants in Oudh have been ejected from their holdings under section 48(1) and (2) since the Oudh Rent Amendment Act, IV of 1921, was passed ?

(b) How many suits for such ejection are pending ?

Mr. C. E. D. Peters : The figures for the year 1922-23 as reported by District Officers are 305. Two cases were pending at the close of the year.

19. **Pandit Sri Krishna Dutt Paliwal :** (a) Will the Government be pleased to state how many statutory tenants have been ejected under clause (b) and (c), sub-section (1), section 62A of the Oudh Rent (Amendment) Act of 1921, since it was passed and how many suits for such ejections are pending in revenue courts ?

(b) Will the Government be pleased to lay on the table, every six months, a statement showing the number of tenants ejected under the two clauses named in (a), as also the total area from which they were ejected, together with the total rent which they paid for it ?

Mr. C. E. D. Peters : (a) The information will be supplied at a later date.

(b) As the figures are published annually no object will be served by publishing a six-monthly statement which would add enormously to the work of the revenue staff. Government accordingly does not propose to publish the figures six-monthly.

NAWAB SAHIB OF TALIBNAGAR AS HONORARY MAGISTRATE.

20. **Rai Bahadur Lala Sita Ram** : Will the Government be pleased to state—

- (1) Whether the Nawab Sahib of Talibnagar, district Aligarh, Honorary Magistrate, 1st class, holds his court at his place of residence (Talibnagar) ?
- (2) What is the distance of Talibnagar from Aligarh city ?
- (3) Is it a fact that cases where the accused and complainant both belong to the city are transferred to his court ?
- (4) Is it a fact that cases from the court of the Sub-Divisional Officer are also so transferred ?
- (5) Is it a fact that there are three benches of Honorary Magistrates in Aligarh city and that there is a bench at Harduaganj, situated about six miles from the city ?
- (6) Will the Government be pleased to ask for the discontinuance of the transfer to Talibnagar ?

Mr. J. R. W. Bennett : (1) Yes.

(2) About 11 miles.

(3) There have been a few such cases.

(4) Yes.

(5) There are two benches of Honorary Magistrates at Aligarh city, and there is also one bench at Harduaganj, about seven miles from the city.

(6) The Nawab Sahib was until recently the only Honorary Magistrate exercising first class powers within Koil municipality and Koil tahsil. As another Honorary Magistrate of the first class has recently started work, it will be unnecessary ordinarily to transfer such cases to the Nawab Sahib in future, except in special circumstances.

STORES PURCHASE DEPARTMENT.

21. **Mr. Ashiq Husain Mirza** : Will the Government be pleased to state how many orders for *durries* and furniture were placed in Bareilly by the Stores Purchase department since its inception ? Will the Government be pleased to give the names of the firms with whom orders were placed, for what amounts and on what dates ?

Kunwar Jagdish Prasad : None.

22. **Mr. Ashiq Husain Mirza** : Will the Government be pleased to state how many orders for *durries* and furniture were placed in Cawnpore by the Stores Purchase department during the same period ? Will the Government be pleased to give the names of firms with whom orders were placed, for what amounts and when ?

Kunwar Jagdish Prasad : No direct orders have been placed, but the department has arranged a running contract with the Cawnpore Dyeing and Cloth Printing Company, Limited, for the supply of *durries* only to officers who indent for them.

23. **Mr. Ashiq Husain Mirza** : Is the Government aware that Bareilly manufactures and exports *durries* to the value of about 10 lakhs of rupees per annum, and its furniture trade is of about the same value ?

Kunwar Jagdish Prasad : Yes.

24. **Mr. Ashiq Husain Mirza :** Is it a fact that the *durri* industry in Bareilly is a cottage industry? If so, will the Government be pleased to state what encouragement has it received from the Department of Industries so far?

Kunwar Jagdish Prasad : Yes. Government will endeavour to do what it can to assist the *durri* industry at Bareilly, though so far the Department of Industries has had no special opportunity for doing so.

GIRLS' PRIMARY SCHOOLS IN UNITED PROVINCES.

25. **Khan Bahadur Hakim Mahbub Ali Khan :** What is the number of girls' primary schools in each district of these provinces?

Kunwar Jagdish Prasad : The information is being collected and will be supplied at a later date.

26. **Khan Bahadur Hakim Mahbub Ali Khan :** What is the number of (a) Muslim, (b) non-Muslim and (c) mixed girls' schools in these districts?

Kunwar Jagdish Prasad : The information is being collected and will be supplied at a later date.

27. **Khan Bahadur Hakim Mahbub Ali Khan :** What is the enrolment of each such school by districts, with Muslim and non-Muslim students shown separately?

Kunwar Jagdish Prasad : The information is being collected and will be supplied at a later date.

28. **Khan Bahadur Hakim Mahbub Ali Khan :** What is the number of mistresses in these schools by districts and how many of them are Muslims and how many non-Muslims? How many of them are qualified in Urdu, how many in Hindi and how many in both forms of the vernacular?

Kunwar Jagdish Prasad : The information is being collected and will be supplied at a later date.

29. **Khan Bahadur Hakim Mahbub Ali Khan :** In how many of these schools is instruction given in (a) Urdu, (b) Hindi and (c) both?

Kunwar Jagdish Prasad : The information is being collected and will be supplied at a later date.

30. **Khan Bahadur Hakim Mahbub Ali Khan :** What is the total annual cost per district of these schools, how much of it is borne by Government and how much by the district boards?

Kunwar Jagdish Prasad : The information is being collected and will be supplied at a later date.

ABOLITION OF CIVIL COURT AMINS.

31. **Khan Bahadur Maulvi Fasih-ud-din :** (a. Will the Government be pleased to state whether it has in contemplation the abolition of the post of civil court amins in the Agra Province?

(b) If so, will the Government be pleased to reconsider its attitude with regard to this idea in the light of the fact that the abolition of this post will dislocate the work of the civil courts and also cause much inconvenience to the litigants?

(a) **Mr. J. R. W. Bennett :** The answer is in the negative.

(b) Does not therefore arise.

REWARD FOR PROFICIENCY IN ORIENTAL LANGUAGES.

32. **Rai Bahadur Lala Sita Ram** : Will the Government be pleased to lay on the table a statement showing :—

- (1) the scale of rewards granted for proficiency or passing examinations in Oriental languages,
- (2) the officers to whom they are given,
- (3) the amounts so given in the years 1922 and 1923, and
- (4) the budget head under which they are shown ?

Kunwar Jagdish Prasad : The information is being collected and a reply will be given at a later date.

NON-MUSLIM FRANCHISE IN ALIGARH.

33. **Rai Bahadur Lala Sita Ram** : (1) Is it a fact that in Aligarh city the population of non-Muslims exceeds that of Muslims ?

(2) Is it true that the Muslim University is a nominating body and that Government in exercise of their right of nomination has nominated two Muslims ?

(3) Is the Government aware that the majority of non-Muslims has become a minority in Aligarh in the matter of representation to the municipal board ?

(4) Since when has this continued and will the Government be pleased to reconsider its position ?

Mr. G. B. F. Muir : Inquiry is being made and an answer will be given at a later date.

RESTRICTIONS ON PILGRIM TRAFFIC TO ALLAHABAD.

34. **Rai Bahadur Lala Sita Ram** : Will the Government be pleased to state whether pilgrim traffic to Allahabad by railway on the occasion of the recent *Adh-Kumbh mela* affair was reduced under Government orders ?

Mr. G. B. Lambert : The answer is in the affirmative.

ROADS AND BRIDGES IN THAKURDWARA TAHSIL, MORADABAD.

35. **Dr. Shafa'at Ahmad Khan** : Has the attention of the Government been directed to the lack of pacca roads in the tahsil of Thakurdwara, district Moradabad ? As there is neither a pacca road nor a railway line in this tahsil will the Government be pleased to state if it is intended to build a road there ?

Mr. G. B. F. Muir : Inquiry is being made and an answer will be given at a later date.

36. **Dr. Shafa'at Ahmad Khan** : Why has no bridge been built on the river Dhela in the tahsil of Thakurdwara ?

Mr. G. B. F. Muir : Inquiry is being made and an answer will be given at a later date.

37. **Dr. Shafa'at Ahmad Khan** : Is it a fact that in the rainy season Thakurdwara is entirely cut off from Moradabad and it is impossible for its inhabitants to carry on their ordinary work ? If so, why

has no road, bridge, or railway line been built there? Will the Government kindly come to the rescue of the district authorities, and develop this most important tahsil?

Mr. G. B. F. Muir: Inquiry is being made and an answer will be given at a later date.

RECOMMENDATIONS OF THE INDIAN INDUSTRIAL COMMISSION.

38. Dr. Shafa'at Ahmad Khan: How far, and to what extent, have the recommendations of the Indian Industrial Commission been carried out in these provinces?

Kunwar Jagdish Prasad: If the honourable member will state the definite recommendations of the Indian Industrial Commission about which he desires information, Government will endeavour to supply it to him.

NOWGAON SAADAT-AMROHA ROAD, MORADABAD.

39. Dr. Shafa'at Ahmad Khan: Will the Government be pleased to link up Nowgaon Saadat with Amroha, in district Moradabad, by a good pacca road?

Mr. G. B. F. Muir: Inquiry is being made and an answer will be given at a later date.

CIVIL COURT BUILDINGS, GORAKHPUR.

40. Khan Bahadur Mr. Muhammad Ismail: Will the Government earmark a portion of the revenue received from the enhanced court-fees with a view to extend the civil court buildings at Gorakhpur and to provide furniture for the same?

Mr. E. A. H. Blunt: It is not usual, and in practice would be most inconvenient, to earmark particular revenues to meet particular expenditure. Nor have Government so far received any request for an extension to the civil court buildings or an increase to the furniture. Should they do so, the matter will be considered.

STORES PURCHASE DEPARTMENT.

41. Mr. Ashiq Husain Mirza: What is the gross approximate yearly value of goods supplied by or through the Stores Purchase department to various departments? Please give value for each department separately.

Kunwar Jagdish Prasad: Information is being collected and will be supplied when ready.

Pandit Brijnandan Prasad Misra: Mr. President—In connection with certain answers given today I wish to ask for a ruling with regard to a point of order. In reply to question No. 49 the Hon'ble Minister for Education has stated that the honourable member is asking for an opinion, to which under Council rules he is not entitled. I would ask whether this is not a question which can be decided only by the President.

The Hon'ble the President: I noticed that reply myself, and I was about to intervene, but I did not think it necessary. In my opinion the answer given by Government is entirely on the wrong lines. It is

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open to Government to refuse to reply to a question if they think fit. When the question was admitted by me I took it to be a question of fact, not of legal opinion. Apparently it can be read either way. If it is a request for legal opinion it is out of order, but if it is merely a question of fact, i.e., whether Government would ask the authority concerned—the railway—if they are prepared to refund these taxes, then it is another matter. Government apparently thought it a legal question—that is, if a case was brought into court would the tax be refunded. In that case Government is right, though the lines on which the answer was given is, in my opinion, wrong.

Pandit Brijnandan Prasad Misra : Another thing is the answer from the Hon'ble the Finance Member. He said that "the member is referred to the answer given to unstarred questions Nos. 28 and 29 for the 31st January. The Governor in Council does not propose to vary the existing orders on the subject."

When answers to questions are given in this way, the members putting the questions are put to great difficulty and they lose the opportunity of asking supplementary questions. If answers like this are given members, I think, should be allowed to put another question to the informing member asking for the answers themselves that were given on the previous occasions referred to, or this practice of giving answers in this way should be stopped.

The Hon'ble the President : It is not a question which can be discussed here in Council. It is a question of routine altogether. The matter was considered and it was suggested that when an answer is given which referred to a previous reply, that reply should be printed underneath in brackets or italics or something of the kind. It was thought however that this would lead to a considerable amount of extra printing which was not necessary. If the Government is prepared to consider that point, there is no objection to the proposal. It would certainly be a matter of convenience for members to have replies straight away. It is a matter on which honourable members can approach the Hon'ble the Finance Member and ask whether the Government has any objection to undertake the extra expense.

The Hon'ble Mr. S. P. O'Donnell : May I ask, what the practice in the House of Commons is?

The Hon'ble the President : It is the practice in the House of Commons that previous answers when referred to are not re-printed. I have looked up Hansard.

Babu Mukandi Lal : The honourable member was referring to one question and the reply given by the Hon'ble the Home Member that the reply has been given in an unstarred question. The unstarred answers are not laid on the table.

The Hon'ble Mr. S. P. O'Donnell : The reply referred is to an unstarred question of a previous date—some time in January last.

The Hon'ble the President : In the present procedure, when a reference is made to an unstarred reply of a previous meeting, it will be found in the proceedings. But if the reference is to a reply made only a day or two previous, then it would not be in the proceedings. As I said

before, this question cannot be discussed here. My own personal view is that it would be a good thing to re-print the answer, even if it does cost something.

RESOLUTIONS.

RESOLUTION *re* THE APPLICATION OF THE MUSALMAN WAQF ACT, 1923, TO THE UNITED PROVINCES.

Mr. Muhammad Aslam Saifi : I move the resolution that stands in my name :—

That this Council recommends to the Government that the Musalman Waqf Act (Act XLII of 1923) be forthwith applied to the United Provinces of Agra and Oudh.

This Act was passed by the Central Legislature only last year. It relates to the waqf properties about which I feel sure that every Musalman member of this Council—and there are millions of other Musalmans—has complained about their mismanagement and the misapplication of the income derived from them. The Musalman Waqf Act in the form of a Bill was introduced in the Legislative Assembly by Maulvi Abdul Qasim of Dacca. In introducing the Bill he entitled it as a Bill for registering Musalman waqf estates and the rendering of accounts thereof. When this Bill was first introduced, it was put off for a considerable period in order to elicit general Musalman public opinion as well as the opinion of the Local Governments. After a lapse of about two years, it was brought up again and a motion was made to commit the Bill to a Select Committee. A full-dress debate took place, the principles of the Bill were thoroughly discussed and it was submitted to a Select Committee consisting of 25 members, 20 of whom were Muhammadans representing every province of India. In addition, there were two members of the great sister Hindu community, and three Europeans. This Bill, when it emerged from the Select Committee was shorn of many of its provisions which were thought very necessary at the time. And, again, when the report of the Select Committee was taken into consideration, another full-dress debate took place. The Bill was considered clause by clause and eventually was passed in its present form, and, I must say, unanimously. Now, Sir, it is, I find, the general wish of the Musalman public, especially those who are interested in the improvement of the administration of waqf properties, that this Act should be applied forthwith to this province. I remember, probably it was in the Council meeting of the 30th of January, that a question was asked by my friend Mr. Hidayat Husain as to whether this Act has been applied to any district of this province and whether the Government intends to apply it. I notice in the reply that the Act was not applied and that the Government does not intend to apply it until a definite demand was placed before it. It was to put that definite demand before the Government that I gave notice to move this resolution.

I observe, Sir, that there are two more resolutions on the same subject on the agenda of today's meeting and I notice a slight difference between the phraseology of those resolutions and mine. The difference is, that they propose that early steps should be taken to bring the Act into operation and I propose the forthwith application of the Act. I think and I feel there are many who will agree with me—that the Act has not

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come a day too soon. It is the experience of the Muhammadans throughout this province, because there are numerous Musalman waqfs, mostly small and very few of them are big, which are scattered throughout the length and breadth of this province, and it is the general feeling of the Musalmans that they are badly managed.

Now, Sir, with regard to the provisions of this Act and the reasons why it was necessary to pass a special legislation, I find that the only legal provision existing before this, was section 92 of the Civil Procedure Code, but it was such a cumbersome and expensive process that very few could take advantage of it. Generally, the experience of those who take an interest in waqf estates is that they are refused any information which they demand from the mutawallis who are in possession or in charge of these waqfs. I will illustrate my point by mentioning a very prominent case which took place with regard to a well-known waqf of Meerut. There is a waqf there known as "Waqf-i-Mansab" which was in the hands of the three descendants of the waqif. These three gentlemen, instead of managing the property, divided it between themselves; each one of them took possession of a separate village and applied the money that was derived from that source to his personal gratification and all sorts of luxuries in which they indulged for a number of years from 1903 to 1913 when they were in charge of the property; and those who failed in eliciting any information from them in spite of a committee which was formed by an order of the High Court brought a regular suit. It took eighteen months before the suit could be heard by the Judge. It was expressly remarked in the judgement given by the learned Judge that every possible obstacle was placed in the way of the Court and the plaintiffs by the mutawallis. I find from that judgment that at least between Rs. 75,000 and Rs. 1,00,000 were embezzled by these mutawallis. The income from that waqf was valued at Rs. 11,500; to-day after only six years of good management its income is Rs. 21,000. Before 1913, with the exception of a few hundred rupees, nothing was spent on the express objects of the waqf for which the waqif had given away all this property in the name of God and for service of his fellow-beings. Now, Sir, this difficulty is felt everywhere that section 92 did not give enough facility. Waqfs are created in accordance with the Muhammadan Law. Muhammadan Law on this point is quite clear. If I have your permission, Sir, I will read by way of illustration a little quotation:—

أَوْقَفَ إِلَى اللَّهِ الْمَالِ إِلَى اللَّهِ تَعَالَى عَلَى وَجْهِ الْقَرْبَةِ

"Waqf" means renouncing one's own property for the sake of God in order to secure nearness to Him. Unless a man is pious, unless a man feels that he is prepared to set aside a certain property in perpetuity for the service of humanity, especially for his own co-religionists he will not be creating a waqf. Once a waqf is created it is always a waqf. According to Muhammadan Law it is the duty of the Government to see that a waqf is properly managed and if the Government finds that the waqif, who himself may be the mutawalli, does not properly manage the property, the Government has the right to turn him out. Of course in our case the Government has assumed neutrality and

perhaps rightly; but at the same time there is some duty that the Government owes to the province at least to safeguard the management of charitable endowments. This duty I find the Government of India have performed through their Central Legislatures. There is a similar duty for our own provincial Government and that is, to merely apply this Act so that all the waqf properties that are scattered all over the towns throughout the province may be properly registered.

The second point that this Act provides for is the rendering of accounts. Now a waqf requires a mutawalli and about a mutawalli the law is definite. لَا يُولَى إِلَّا أَمِينٌ قَادِرٌ بِنَفْسِهِ No one can be a

mutawalli unless he is an amin. Amin means an honest person, a person above suspicion. At the same time he must have self-restraint with regard to the waqf property. Now, if these mutawallis are of this type they must certainly keep accounts; they should have no hesitation to render an account to the proper authorities, such as the court of the District Judge. At the same time these accounts are required to be audited. Now, I find there is no earthly reason why every account concerning a public institution should not be audited. Auditing cannot be done by every person who is not acquainted fully with the keeping and examining of accounts. Waqfs the income of which exceeds Rs 2,000 require their accounts to be audited by qualified auditors; all other waqfs should have their accounts audited by persons authorized by a special or general order in this behalf by the District Judge. This is another provision of the Act which the Musalmans desire should be forthwith applied. If this Act is at once applied, as I hope it will be, then the Government, in addition to notifying in the *Government Gazette*, the application of this Act, will have to frame certain rules under section 11 in order to carry out the further purposes of the Act. One of the sub-sections of the Act requires that rules may be framed so that they may cover "any other matter which is not expressly mentioned in the foregoing sub-sections."

As regards public opinion on this question, Sir, I have received numerous correspondence. I have received representations from Muhammadans who are interested in waqf estates and from mutawallis themselves. So far as I can discover they are unanimously agreed to the immediate application of the Act to the province, but there seems to be some misunderstanding as to the intentions of the Act, and owing to those misunderstandings they think that it may lead to a great deal of hardship. But, so far as I find, no hardship is at all intended. This Waqf Act, as I understand it, applies only to such endowments as are created for the benefit of the public. There are waqfs, I recognize, which come under the Waqf Validating Act of 1913. I also know that there are waqfs which were created with that intention even before the Waqf Validating Act was passed. But this Act, as I understand it, applies only to public waqfs. I find, Sir, that in many Muhammadan estates or in Muhammadan kingdoms, there is always a ministry in charge of charitable endowments. There is one, I know, in the Government of the Turkish Empire. There is one in the Egyptian Government. And I also know that in the Government of His Exalted Highness the Nizam of Hyderabad there is one Minister in charge of

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the endowments, and, though a similar motion was put before the Bihar Legislative Council asking the Government to appoint an officer to look after these charitable endowments, I find that one member of the Government of Bihar province has agreed to apply this very necessary Act to that province. I also find, Sir, that Dr. Gour has introduced a Bill framed practically on the lines of the Musalman Waqf Act for the better administration of the Hindu charitable endowments and for rendition of accounts.

I hope, Sir, that this resolution of mine will meet with the unanimous support of the Muslim members of this Council, who, I am sure, are well acquainted with the demands of the Muhammadan public outside the Council. With these words I commend the resolution to the acceptance of the House.

Nawabzada Muhammad Yusuf: Sir, I beg to move the following amendment:—

“After the word ‘Oudh’ add the following words, viz., ‘but it should not in any way be interpreted to apply to the private waqfs’.”

The Hon'ble the President: Is the amendment on the paper?

Nawabzada Muhammad Yusuf: No, Sir, I have just moved it.

The Hon'ble the President: The honourable member proposes to move the following amendment. He wishes to add the following words at the end of the resolution after the word “Oudh”: “But it should not in any way be interpreted to apply to private waqfs.” Has any honourable member any objection to this amendment?

Lieutenant Shaikh Shahid Husain: I regret I am unable to agree to the amendment. I do not think that we in this Council are in a position to modify the Waqf Act which has been passed by the Central Legislature.

The Hon'ble the President: Does the honourable member object to the amendment being moved?

Lieutenant Shaikh Shahid Husain: Yes, Sir.

The Hon'ble the President: Notice has not been given of this amendment. I accept the objection and rule that it cannot be moved.

Nawabzada Muhammad Yusuf: Sir, since my amendment has been ruled out it seems to me that there is no other course open to me but to oppose the resolution so ably moved by my friend Mr. Saifi. I am entirely at one with him that there is a feeling among the Muhammadans that there ought to be a proper administration of the waqf properties and also that some machinery ought to be established to see that accounts are properly rendered and that the moneys of the waqfs are well applied. But, Sir, this Act of 1923 as it stands is not well drafted and also the provisions of the Act are not very well known to those who are primarily concerned and also to the public, who really do not know what the real objects of the Act are. It will be unpalatable to those whom it principally affects and also to those who are managing those large properties.

Sir, before I develop my arguments, I should like to draw the attention of the Council to the definition of waqf property under the Act of 1923. These are the wordings:—"Waqf means the permanent dedication by a person professing the Musalman faith of any property for any purpose recognized by the Musalman law as religious, pious or charitable, but does not include any 'waqf,' such as is described in section 3 of the Musalman Waqf Validating Act, 1913, under which any benefit is for the time being claimable for himself by the person by whom the 'waqf' was created or by any of his family or descendants." This is the definition of waqf property as given in the Act. In this connection, as this definition refers to the definition in the Waqf Validating Act of 1913, section 3, I should also like to read that section. It runs thus:—"It shall be lawful for any person professing the Musalman faith to create a waqf which in all other respects is in accordance with the provisions of Musalman law, for the following among other purposes:—(a) for the maintenance and support wholly or partially of his family, children or descendants, and (b) where the person creating a waqf is a Hanafi Musalman, also for his own maintenance and support during his life-time or for the payment of his debts out of the rents and profits of the property dedicated: provided that the ultimate benefit is in such cases expressly or impliedly reserved for the poor or for any other purpose recognized by the Musalman law as a religious, pious or charitable purpose of a permanent character."

In other words, these funds may be utilized for private purposes and the income of the whole property could go to the descendants or to the mutawalli himself even in his own life-time. Now, Sir, from the point of those who have created the private waqfs I am bound to say that as the definition of the word waqf stands in the Waqf Validating Act of 1913, (section 2 of the Act) it is so ambiguous as to give rise to a good deal of misunderstanding and is likely to give rise to tremendous litigation which may not at all be regarded as in the best interests of any section of the Musalman public. Of course it exempts those waqfs which have been created under the Waqf Validating Act of 1913, but there is nothing to show that this will have a retrospective effect. Many of us must be aware that according to the Shariat these private waqfs or waqf Allal Aulad are perfectly valid.

There is nothing to show that the Act of 1913 will have a retrospective effect. Moreover, as it stands, I would repeat, it does not cover the cases of those private waqfs which had been created before 1913, when, as a result of tremendous agitation in India, this Waqf Validating Act of 1913 had to be passed. As the definition of waqf stands in the Waqf Act of 1913, it is likely to give rise to great hardships and difficulties to those who have created private waqfs and who want their families to benefit by them and also want that a portion of the income of the waqf property should go in charity. In view of this fact I think it is highly undesirable to rush through this resolution. It would be much better if we were to postpone this resolution and give serious consideration to the question of the application of the Waqf Act to the United Provinces, and were also to invite the opinion of those who are most affected, viz. sajjada-nashins and mutawallis. I may also mention that there are waqfs which outwardly seem to be public waqfs, but they

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are really private. There are many waqfs which were created in olden times by kings in favour of certain families and the sajjada nashins and mutawallis were given absolute freedom to manage those properties as they liked and to use those funds for their own private use and also to devote a part of the income in charity. It is highly objectionable to interfere in such cases and certainly it is against the intentions of the Shariat. I may further point out that in a case like this we have got to see the terms of the instruments which created waqfs. We cannot go against the intentions of testators or waqfs. I think it would be admitted by my Hindu brethren also that the intention of the testators must be uppermost in the minds of those who are out to see, as I think is the intention of my friend the mover of the resolution, that the waqf properties should be properly managed. I submit that it is very desirable that the provisions of the instruments creating a waqf should be fully carried out not only in spirit but also in letter. Now, Sir, one word as to why the Government should not interfere in a case like this. As I have already stated, the persons vitally affected by the waqfs are the sajjada-nashins and mutawallis, and it is they who should first be invited to express their opinion in the matter. We are after all laymen and are apt to be carried away by our own ideas. The real person who is in a position to scrutinize the Shariat is the Ulema. There are then the dumb masses, I mean the public, who have not got the franchise today and whom nobody represents in this House. It is they who should be consulted, and indeed if they are, I make bold to say that their sympathies would go out to the sajjada-nashins and mutawallis in whose favour the waqfs have been created by their ancestors or benefactors. In the circumstances, I would submit that it is necessary that the whole question should be threshed out fully and the opinion of the public invited. When I say so, I do not want to be understood that I am opposed to the principle underlying the resolution, or that I consider the resolution objectionable. What I submit is, that the present Waqf Act has many objectionable features about it. It is, in my humble opinion, an ill-considered and an ill-drafted document. It is not calculated to serve the best interests of those whom it affects.

I wonder what the attitude of my friends the non-co-operators will be in this House. I am sure that if they had been in the Legislative Assembly at the time they would have opposed it tooth and nail, because they could never have countenanced the idea of entrusting the management of private property to the Government. They would have preferred some private agency or even the sajjada-nashins or mutawallis, to the intervention or management of Government. So far as Government is concerned it cannot be said that it can afford to forfeit the sympathies of an important section of the public who are holders of these waqfs or who are interested in them. There are enough instruments of attack in the armoury. Everybody knows that under section 92 of the Civil Procedure Code any two people can come forward and examine the accounts. According to the Act of 1920, those who are interested in these waqfs can come forward and ask for the accounts and if the mutawallis have mismanaged the property they can have them removed. So I repeat that there are enough instruments to be used against those who are likely to misappropriate money or who

are dishonest enough to go against the intentions of the creators of these waqfs. I would therefore say that the Act in its present shape with all its drawbacks and objectionable features should not be extended to these provinces in a hurry. We should wait and give further serious consideration to it.

Lieutenant Shaikh Shahid Husain: May I ask what are the drawbacks in the Act?

Nawabzada Muhammad Yusuf: One of the drawbacks is that it gives rise to a crop of litigation as to whether a certain waqf is a private waqf or a public waqf. Then the definition of the word "benefit" given in clause (e) of the same Act is likely to give rise to tremendous difficulties. Benefit does not include benefit to a mutawalli entitled solely by reason of his being such a mutawalli. The word "benefit" which occurs in the Act is open to serious misinterpretation. We are aware that the person who creates the waqf, be he the testator himself or his descendant, is a mutawalli and he derives a certain amount of benefit as a mutawalli under the Act. The most objectionable feature is that, under section 6 of this Act of 1923, the accounts of the waqf are to be properly audited by a chartered auditor. This will naturally involve the keeping of accounts in a proper form and probably in English. I had a talk with Hafiz Hidayat Husain and he admitted that there were very few chartered auditors who could do the audit of accounts in the Urdu language and even they could not do satisfactorily and it will be an unnecessary botheration and trouble to these poor mutawallis. At the same time these poor people run the risk of being penalized and having to pay a fine of Rs. 500 rising to Rs. 2,000. I would say that it is very hard indeed on these people who are used to keeping up the accounts in their own way, and if there is any mistake in the accounts they run the risk of being run in criminally for putting in false accounts. Sir, I should like to know whether this sword of Damocles hanging from year to year over these poor fellows is a desirable thing in the interests of the public—whether the public, who are after all benefited by these charities, will not be charitable enough to take a more liberal view of the case and to see that these people are not unnecessarily harassed. My friend the honourable mover has stated that there is no hardship on these people. I am afraid I am unable to see eye to eye with him. I make bold to say that the Act as it stands is sure to act very hardly on those whom it vitally affects, be that a waqf where there is a mutawalli, be that a waqf where there is a sajjada-nashin, or be that a waqf for specific purposes, or be that a private waqf which might be called into question by any Government who might choose to give trouble to any persons whose great-grandfathers have been charitable enough to create waqfs for the benefit of their own descendants and for other charitable objects under the Shariat. With these words I will strongly oppose the resolution that is before the Council. I think it is my clear duty to give out my views on the question and I think that a further serious thought should be given before His Excellency the Governor should be a party to giving effect to this Act of 1923 in these provinces. The only reason why serious opposition was not offered in the Legislative Assembly was because powers were delegated

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to Local Governments. Now that duty devolves on His Excellency the Governor it is the clear duty of His Excellency the Governor to go into this question very carefully. If the opinion is divided I will go so far as to say that His Excellency should think twice before giving effect to this Act here, in these provinces.

The Hon'ble the President: The honourable member told me some time ago that he was concluding his speech.

Nawabzada Muhammad Yusuf: I would once more reiterate that Government should go into the question thoroughly and should only be guided by public opinion or the opinion of those who will be vitally affected by the Act so that the interest of those people may not suffer in any way.

Dr. Shafa'at Ahmad Khan: I am sorry to differ from my friend Mr. Yusuf, but this is a matter on which Muhammadans of all shades of opinion are almost unanimous, and I think it is my duty to voice the feelings of my constituency which has sent me to this Council on the express mandate that this question should be passed at all costs and we are not going to compromise on this issue. We have always kept this issue clear before us. Now I come to the points raised by my friend Nawabzada Muhammad Yusuf. Nawabzada Muhammad Yusuf when he mentioned the unpopularity of the Act, forgot to mention the unpopularity of mutawallis. What have the mutawallis done in the past and what are they doing at present? If he had traced the history of the mutawallis during the last sixty years he would have found easily that they were persons who had misappropriated the property, embezzled the money and disposed of a very large amount of property to persons who were not entitled to it. Mr. Aslam passed by that point but I should like to stress this point, that charity is a cardinal principle of Islam. It was through the formation of endowments and through the development of institutions of endowments that the Islamic State was built up and in the early Islamic history, and in the time of the Moghuls, you will find special provisions and very stringent regulations with regard to the carrying out of the management of waqfs under the charge of the State. I refer Nawabzada Muhammad Yusuf to numerous cases, firmans, and standard authorities which have laid down, as an essential condition, that these waqfs are the property of the nation, and should be maintained not for private use, but for the benefit of the community as such. I do not know if he has glanced through the numerous references which are to be found in *Fatwat Alamgiri* and other standard works of Islamic theology, but I would advise him very strongly to go through the policy of the British Government when it inherited all the rights and all the duties of the Moghuls. I may refer him especially to the policy pursued by the Company for more than sixty years, and ask if he is aware of the fact that the State, up to 1863, had looked after those waqfs, had managed them, and was responsible for them. Let me quote one passage from a chapter of the well-known work of Sir Alfred Lyall, "*Asiatic Studies*," on the religious policy of India. He has referred to the policy pursued by the Company prior to 1863, and I quote the following passage from Parliamentary papers of 1832. A Magistrate writes of those times :

"Our interference with the affairs of the waqfs extends over every detail of management. We regulated their funds, repaired their buildings, kept in order the cars and images, appointed their servants, and purveyed the various commodities required for the use of the pagodas." What greater amount of control do we expect the State to exercise? What greater amount of supervision do we expect the State to exercise? If he goes through the list of waqfs mainly managed and supervised by the Bengal Government up till 1863, he will find that most of them were nominally, and, in some cases completely, under the charge of the Government.

I can also show to the honourable member that, after 1863, the policy that was reversed was disapproved of by the majority of the Indian Musalmans. Let me refer him to a work by Ganapati Aiyar on "Endowments," with a foreword by the Hon'ble Sir Abdur Rahim. In that foreword you will find that he lays great emphasis upon the necessity of State supervision of these waqfs. He says that it is absolutely essential that if these waqfs are to be utilized for the purpose for which they are created they must be supervised by the State.

I will now trace the history of the agitation on the part of the Muhammadans from 1863 down to 1921. There have been continuous struggles, there have been great efforts made by all sections of the Muhammadans for the preservation of their property. I for one am not going to withdraw it but will see it through.

As regards this important point, this question of the popularity of the measure, I think if I read the opinions of the Local Governments upon the Bill which was circulated in 1921, that would be conclusive.

The Madras Government said :—

"The Hon'ble Minister in charge of Religious and Charitable Endowments has had the advantage of discussing the main principles of the Bill with the leading representatives—Muhammadan representatives—of the Council and the views expressed and the observations made in the following paragraphs have their full support."

Let me go on to the Bombay Government. The Bombay Government said :

"It will be observed that the Anjuman Islam, Bombay, while approving the proposal for the registration of waqfs. is opposed to the complicated and detailed interference in their management which the provisions of the Bill will entail.

I may mention that these provisions were struck completely off the Bill. Chapter III, if my friends will look through it, was not made a part of the Act at all. When the Select Committee was appointed, it was taken completely out.

Let me now go on to the opinion of the Bengal Government. In Bengal, Maulvi Shams-ul-Rahman, Secretary, District Muhammadan Association, said :—

"I have the honour to inform you that the Registration of Waqf Estates Bill was discussed at the meeting of my association, and I am of the opinion that the Bill is a necessity in order to prevent misuse of waqf property by their mutawallis, but for these following modifications in the Bill itself."

Dr. Shafa'at Ahmad Khan.]

Let me come now to the opinion of our own Government, the United Provinces Government. The United Provinces Government said as follows:—

"It will, be observed that the majority of those consulted are emphatically of the opinion that some machinery for the improvement of the administration of 'waqfs' is eminently desirable, since there are undoubtedly many cases of maladministration, though possibly the case is stated somewhat too strongly in the preamble of the Bill."

Let me go to the Punjab Government. The Hon'ble Mian Fazl Husain said:—

"The Muhammadan public opinion is in favour of a Bill providing for registration of waqf estates and the proper rendering of accounts by the mutawallis of such estates."

I will, lastly, come to the Burma Government. The Burma Government said:—

"So far as the Bill simplifies the procedure by which dishonest mutawallis may be brought to book, it seems to meet with general approval."

Lastly let me quote the opinion of the Government of Bihar and Orissa:—

"Muhammadan opinion in Bihar and Orissa generally welcomes the Bill in principle and the Governor in Council expects to devise some better method than the existing law provides."

What better authority could you have for the popularity of the measure that has exercised the attention, that has exercised the serious attention of the Musalman public for close upon 50 years, that has led to the formation of numerous associations and anjumanas? What better authority could you have for the popularity of the measure than the opinions of the Local Government which are based on the expression of opinions of Muhammadans of this province? They were not formed by the Government without consulting the public. I think that if we shirk this matter, we shall meet again with proposals, we will, if we bring it up later, be asked again to withdraw. I now come to the next point raised by Mr. Yusuf, viz., that the Government interference in the arrangements of these waqfs is likely to prove unpopular with the public. I think I will refer him to the Act and ask him if it requires any action on the part of the Government. The District Judge will of course be entitled to find out, and I think Mr. Yusuf will be the last to deny that dishonest mutawallis ought to be fined. Beyond this the Judge cannot go. He is simply a post office for the receipt of accounts. We do not wish to interfere with the power of the Government, nor do we desire Government to interfere in our religious matters; but it is an indispensable function of the State to keep control over the management of waqfs.

Next he says that enough laws exist on this subject. I deny this. I would ask him to read Sir Malcolm Hailey's speech in the Legislative Assembly of March, 1923, and he will find that differences exist between the provisions of the Act of 1920 and that of 1923. What are they? If the honourable member will refer to section 3 of the Act of 1920 he will find that the section specifies that a person

must have an interest in an express or constructive trust. Now here the Act does not mention interest at all. It simply says mutawallis will register accounts and get their accounts audited. I think he will admit—I think all members of Council will admit—that this addition of the word “interest” may complicate matters. A person has no right, unless he has got some special interest, to bring a case and to be harassed with those cases—a number of cases later on. In one case a person has to show—is compelled to show—that he has interest. In the other it is not so. Next I deny that under section 92 we can remove the present abuses in our waqfs by resort to section 92 of the Civil Procedure Code. I say that under that section he must get the sanction of Government. The Nawabzada knows himself how difficult and even impossible it is for a person, specially if he is poor, to get the consent of the Government to bring a case against the mutawalli.

I will now come to his objections. I think they are flimsy—I hope he will not mind my saying so—that they are all flimsy. He will have noticed that all waqfs under an income of Rs. 2,000 are exempt from audit by a chartered accountant. They may be audited by a person specially made responsible for this by the court. So far as property above that figure is concerned if he will make inquiries he will find out that it is not difficult, in fact it is quite easy to get accountants who will do the work. My friend said that this Act is very unpopular. I deny it: I say it is very popular and I may repeat here the warning of Mr. Hussanally, M.L.A., that if this measure is not passed, we may be faced with a struggle that will rival the Akali struggle. It is my duty to warn the Government that Muslim feeling is very strong on this point, and it should not make us responsible for the consequences of the rejection of this resolution.

Maulvi Abdul Hakim: I rise to support the resolution moved by Mr. Saifi and so ably seconded by Dr. Shafa'at Ahmad Khan. I fear that the opposition on the part of Nawabzada Muhammad Yusuf is due to misapprehension of the Act itself. The Act has already made provision for the safety of those persons who are mutawallis of what he calls private waqfs. As a matter of fact there is no such thing in Muhammadan law as private waqfs. In English law there is such a thing as public trust and a private trust, and it was this distinction of the English law which was responsible for the rulings of the High Court and the Privy Council which held invalid waqfs for the benefit of one's descendants. It was to remove the doubts created by these rulings that the Waqf Validating Act of 1913 was passed. Now to introduce the expression “private waqf” is to bring in a terminology which does not find place in any Muhammadan law books. I find from this Act that what Nawabzada Muhammad Yusuf means by private waqf is amply provided for, as section 2 of the Act says:—“‘Waqf’ means the permanent dedication by a person professing the Musalman faith of any property for any purpose recognized by the Musalman law as religious, pious or charitable, but does not include any ‘waqf’ such as is described in section 3 of the Musalman Waqf Validating Act, 1913.” My friend means by “private waqf” such waqfs as are excluded by sections 2 and 3 of the Act. If he means that waqf”, it has been provided for in this Act. As I have said, Muhammadan law does not recognize any such expression as private waqf, therefore that expression is not used in this Act.

Maulvi Abdul Hakim.]

Again he says that there have been rulings of the High Court that the Waqf Act of 1913 has no retrospective effect. I say that all these rulings were in the minds of the Legislature when the Musalman Waqf Act of 1923 was passed and the Legislature, to avoid the effect of those rulings, has used very important words. They are "does not include any waqf such as is described in section 3 of the Musalman Waqf Validating Act, 1913" which we find in section 2 of this Act. Again, section 3, sub-clause (b), provides—"Where in the case of a waqf such as is described in section 3 of the Waqf Validating Act, 1913, the person creating the "waqf" or any member of his family, or any of his descendants is at the commencement of this Act alive and entitled to claim any benefit thereunder, the statement referred to in sub-section (1) shall be furnished within six months of the date of the death of the person entitled to such benefit as aforesaid or of the last survivor of any such persons as the case may be. Mark the words "such as is described in section 3 of the Waqf Validating Act" used in sections 2 and 3 of this Act.

A close perusal of this Act will show that the mutawallis of waqfs described in section 3 of the Waqf Validating Act will hold the property without any liability to account until all the persons for whose benefit the waqf is created are dead. After the death of all the descendants, the property will be for the benefit of the public. Then only the "mutawallis" will be required to submit an account. So, I submit that the fears of Nawabzada Muhammad Yusuf are imaginary. If he reads the Act carefully, I think he will support the resolution.

He says that the provisions of this Act are not well known. I submit that this Act was passed in July, 1923, that is, more than six months ago, and after that in the Bihar Council there was a discussion as to whether this Act should be applied to that province or not. I learn that a resolution was passed that it should be applied there. At the time when this Act was being discussed in the Legislative Assembly there was a discussion both in the Press and on the platform, and the public were made fully acquainted with the provisions of the Act. Then, again, there is nothing to fear, because when the Act is enforced the Local Government is required to prescribe the form for accounts under clause (c) of section 11. As soon as the form is prescribed, it will be for the mutawalli to adopt the form and submit the account in that form.

As regards the hardship which my friend says the mutawallis will experience, I think he is mistaken. If the mutawallis are honest and keep their accounts correctly, there is nothing to fear by getting their accounts audited. But if they have been in the habit of misappropriating the funds, then they will have to bear some hardship: even then I think it would be better for them to bear a little hardship in this world than to be subjected to an everlasting hardship in the next world. My friend perhaps realizing the weakness of his case has appealed to the non-co-operators. I cannot understand why in this particular case he should appeal for the support of the non-co-operators. As a matter of fact, the non-co-operators will be the last persons to allow that waqf property should be misappropriated by a number of persons who call themselves mutawallis. They have been trying that they should have the government of their country in their own hands. So, I hope they will support this

resolution, because, if the resolution is carried, then the waqf property will be under the control of the public.

Babu Bhagwati Sahai Bedar: We intend to make a waqf of our votes.

Maulvi Abdul Hakim: Again, my friend refers to the provision under section 92 of the Civil Procedure Code. Those who have any experience of Civil Courts know fully well how cumbrous and costly and tedious the process of section 92, Civil Procedure Code is. In fact, if we were to take account of the cases which have been brought under section 92, we shall find that very few cases were brought and they were mostly unsuccessful. In view of these remarks, I hope the Nawabzada Sahib will see his way to withdraw his opposition so that we may be able to pass this resolution unanimously.

Hafiz Hidayat Husain: I do not propose at this stage to make any long address. I think the Nawabzada Sahib would not probably have appealed to the Government not to accept this measure and would not have appealed to my Hindu brethren also, not to accept this resolution if he had studied the position carefully. I would remind my Hindu friends that a measure in identical language has been introduced into the Legislative Assembly by Mr. Gour on the 21st of February, 1924, and has been since published in the *Gazette of India*. That measure, as I said before, follows very closely the language of this Act. Therefore, we will have to consider later, in this very year probably, whether that measure which may be passed by the Indian Legislatures should also be applied in this province for the Hindu waqfs as in the case of Muhammadan waqfs. The second appeal which he made was to the Government. For my own part I would appeal to the Government not to shirk its responsibilities in this matter any further. I remember, Sir, in the year probably 1912 or 1913, a question was put in the Imperial Legislative Council, as it was then called, whether the Government proposed to adopt any measures with a view to getting the waqfs registered and checking the accounts of the mutawallis; and the answer of the Government was that because it was a religious matter and because the Government was committed in matters of religion to absolute neutrality it did not propose to interfere. Then, Sir, I remember that towards the beginning of 1914 there was a talk of introducing similar measure in the Imperial Legislative Council, but that idea had to be dropped for the reason that the Government was so occupied with war affairs that the members did not think it worth while to trouble them at that stage. Now, Sir, when the Bill was finally first introduced in the legislative assemblies several duties had been imposed on the Government. The first duty was for the district officer to appoint a district committee and for the Government to appoint a central committee for control of the waqf institution. When the Bill was referred to the Select Committee all the clauses were dropped out and the only thing that remained was an obligation on the mutawallis to submit their accounts and register the waqfs. I am aware that out of eight members of the Select Committee which considered this Act as finally passed only one member dissented with regard to the introduction of section 6 of the Act, and his only point was that it would probably be impossible to find auditors who would be able to check the accounts. It is true that my friend Nawabzada Muhammad Yusuf did have a

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talk with me with regard to the auditing of accounts and I told him there were at least 8 or 9 auditors in this province who could audit the accounts even in Urdu. I do not think that the accounts will be so very heavy indeed that it would be absolutely impossible for these auditors to audit the accounts year in and year out.

With regard to the question as to whether the Muhammadan community did want the enforcement of this Act, I have got here important letters from influential Musalmans who are insisting that this Act should be enforced in these provinces at once. Sitting here I have just now received a telegram from the All-India Shia Conference and its waqf section supporting this motion. The conference has also sent a letter to the Council Secretary to the same effect and I have also received information that several districts have sent letters to the Council Secretary urging the adoption of the Act and requesting him to place them before the Council. Therefore there can be no two views on this point. The only difference of opinion, if it may be called so, is with regard to the checking of the accounts. The arguments of my friend the Nawabzada with regard to the existence of the provisions of section 92 of the Civil Procedure Code and the Act of 1920 to secure the desired end have been met by the speakers who have spoken before me and I do not desire to enter into them. I will, however, only give one instance to show how necessary it is to have these waqfs registered and accounts audited. I have got one case in my hand now. It is an appeal before the District Judge of Cawnpore in which a Muhammadan Subordinate Judge, bound by the presumptions of law contained in the Indian Evidence Act and other oral evidence has been obliged to hold in a waqf case relating to a mosque that all that is under the floor of the mosque is the property of the Hindus and all that is above the floor is the property of the Muhammadans. This was because the Subordinate Judge felt bound to so decide principally in the absence of any registration of waqf property.

These are the facts of our case and therefore in all earnestness I think it is essential that this Waqf Act should be introduced into these Provinces at once.

Rai Bahadur Thakur Mashal Singh : I intended to abstain from taking part in the debate as I thought the question was simply one for the Muhammadans to decide, but as repeated appeals have been made by the gentlemen who are in favour of the resolution as well as by those who oppose it, I wish to say a few words upon this resolution. The chief objection to the resolution which has been raised is that the mutawallis will have to render accounts of the properties which are under their charge. I think no one should be afraid of giving accounts, if he keeps them correctly.

I find among those who are opposing the resolution are Nawabs, Nawabzadas, the Rajas and big personages. I think it is not they but the mutawallis who should oppose it. I doubt if it is the case that out of the proceeds of these waqfs some parties or some feasts are given by these big personages that they are now afraid that they will have to spend money from their own pockets if this Act is applied to this province. I think if a majority of the Muhammadan members wish that this reform should be introduced we should not stand in the way. If, however, a

majority of them are opposed to it we are not going to thrust this legislation on them. This is our position. We are to help them if they wish to have the Act in these provinces. If, however, they are opposed to the Act we will not vote for it. That is our position, and I think that should be the position of every non-Muhammadan member.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Sir, I have been following with great interest the debate on the question of the enforcement of the Waqf Act in these provinces. I rise at this stage only to clear the position of Government in the matter. The Government is, I may say, not opposed to the motion as far as the object of the Act is concerned if there is a general demand for it. Government will have, no doubt, to examine the question so far as its administrative side is concerned. It will have to see whether the enforcement of the Act will or will not involve extra expenditure as it is apprehended that in the beginning it will increase litigation a great deal. The Government will have to consult the High Court and the Court of the Judicial Commissioner of Oudh whether litigation will be encouraged by the enforcement of this Act and will have to devise means to meet the extra number of cases.

The other duty of the Government will be to safeguard the minor interests such as private trusts. There are many families, many sajjada-nashins, who may be opposed to the application of the Act.

A time may come when the Government of India may take away the option given to every Local Government to enforce the Act whenever they find it expedient to do so. The Government of India may enforce the Act at once. But the Local Government at this stage must sound individual opinions as well as the opinions of institutions. We have already received a large number of telegrams in opposition to the application of this Act. We have also received numerous letters in support of its application. I may assure the honourable mover the Government is still open to conviction. The Government is prepared to appoint a committee to consider the question in consultation with individual opinion as well as with recognized institutions.

Babu Bhagwati Sahai Tedar : How long will it take, Sir ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I think it would be better if this Act were enforced together with that which will be coming from the Central Legislature—I mean Dr. Gour's Act.

Dr. Ganesh Prasad : Probably some of my friends here may feel surprised to see me rise to speak on this motion. But I stand here as the only Hindu who can claim to represent hundreds of Muslims of light and learning. Probably there is no other member here who can claim to have behind him the support of such an aristocracy of intellect among the Musalmans. After the speech of the Hon'ble the Home Member I consider it to be my duty to ask Government to revise their decision on this question. This matter came before the Legislative Assembly in September, 1921. A great deal of time was given for the proper consideration of the Bill by all bodies including the Local Governments. A very important Select Committee went into the matter. It consisted not only of Musalmans but also of some Hindus, including such distinguished jurists as Dr. Gour and Mr. Rangachary. No less a man than the Hon'ble Sir Mian Muhammad Shafi (whose law is sufficiently

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good for me although it may not be quite right according to my friend Nawabzada Muhammad Yusuf) who is the Law Member at present gave his blessings to this particular Bill. Under this Act apart from the obligations to get the waqf registered and to render the accounts, there is absolutely no other obligation which the mutawalli incurs.

Sir, I state with due respect to my friends Nawabzada Muhammad Yusuf and Dr. Shafa'at Ahmad Khan, and without any intention to rouse the ire of those two gentlemen, that the language of Dr. Shafa'at Ahmad Khan and Nawabzada Muhammad Yusuf is not exactly the language that ought to be used. Government is the last body that anybody should think of intimidating. At the same time I appeal to the Government . .

Dr. Shafa'at Ahmad Khan : On a point of order, Sir, I did not mean to intimidate the Government.

Dr. Ganesh Prasad : I am very glad to hear that. I did not mean to say that Dr. Shafa'at Ahmad Khan wanted to intimidate the Government. I only said that the Government is the last body that anybody should think of intimidating. I say, Sir, that although the Government cannot claim to be a Government of which the ruling element is Hindu or Muhammadan, yet it is the only Government that we have in this country. Such a Government has certain obligations. It has got to see that it is responsible for the moral and material welfare of its subjects. Therefore we should not hesitate for one minute to request Government to attend to those primary duties. As already mentioned by my friend Mr. Saifi, in Turkey and in other Musalman states such as Hyderabad which is under the Nizam there is a department for the control of waqfs; it is quite likely that the Government here may feel it desirable to have a similar department. I will be the last man to hesitate to lend support to the Government in putting into force such a measure as the Waqf Act. I hope and trust that all Hindu members will join on this question and vote for the resolution. They should act according to their conscience and should not abstain from voting simply because this is a measure which affects the Musalmans only. It may be a question affecting Musalmans today, but tomorrow there may be a similar question affecting Hindus alone. I say, Sir, without any disrespect to my Hindu friends that it would be an act not of courage, but the reverse, if they abstained from taking part in the division on this resolution. If, therefore, this motion is carried, as I hope it will be, Government will take early steps to put this Act in force. Haji Waji-ud din, who represents seven cities of this United Provinces in the Legislative Assembly, gave his support to the Act in the Assembly and other Muslim members from the United Provinces supported the measure whole-heartedly there. I, therefore, say again that if this motion is accepted by the Council Government should at once put the Act into force.

Dr. Zia-ud-din Ahmad : Several persons in my constituency asked me to move a motion which was similar in words to the motion moved by my honourable friend Mr. Muhammad Aslam Saifi. I have just received a telegram from the Secretary of the All-India Muslim Educational Conference and the telegram says that "the members of the Central Standing Committee of the All-India Educational Conference assembled in a meeting resolved that the application of Act No. XLII

of 1923 to the United Provinces of Agra and Oudh is most urgent and necessary both for the preservation of the objects of the various religious waqfs and in the interest of the public, and is in no way against the tenets of Islam which demand a most careful scrutiny and security of public trust." Sir, I look at this question from this point of view that Government is the guardian of the public and any waqf which is created for the benefit of the public should be supervised and should be preserved by the Government. A thing of this kind is already being done in other Muslim countries. In Egypt they have waqf buildings which are bigger than the Secretariat building here in Lucknow. Of course I do not propose, as the Chief Secretary has just pointed out, to impose other duties on the Secretariat, but I would only request the Home Member that the Committee which he proposes to establish will finish its work very soon and we would have the results in the lifetime of this Council.

Rai Bahadur Lala Sita Ram: Sir, in a matter which concerns exclusively the Muhammadans a few observations perhaps from a non-Muslim like myself may not be quite out of place, although I confess that I have no learned researches to place before the House nor have I any pieces of autobiography to communicate to the House. I must also make another confession in this connection. Although I studied Muhammadan Law, and passed the LL.B. Examination in it, the complexities of the Muhammadan Law have always baffled me. I, therefore, do not propose to go into the complexities of the Muhammadan Law in relation to the resolution under discussion, or to say whether the Waqf Act, as passed by the Legislative Assembly, does or does not transgress the *shariat* of my Muhammadan brethren. Fortunately or unfortunately also, I have no mandate from the Muhammadan community to oppose or to support the resolution. I will consequently only tackle this matter from the point of view of a matter of fact practical man, and as such I wish to associate myself entirely and whole-heartedly with the resolution before the House. The solitary opposition so far has come from my honourable friend of Allahabad, who was good enough to send me, and perhaps to other members of the Council also, a type-written protest, giving reasons why this resolution should not be accepted by the House. He was further good enough to send me a vernacular representation in print signed by a number of influential gentlemen, who were opposed to the idea of the application of this Act to the United Provinces. So, here again, I am at a loss to say whether, as maintained by the honourable mover, all Musalmans of these provinces are in favour of the resolution, or as maintained by the honourable opposer, all Musalmans are against it.

Sir, the Act is an Act of only thirteen sections, and the points worth noting are just a few. It lays down that within six months of the passing of the Act every mutawalli will submit to the court or courts, within the local limits of whose jurisdiction the trust property is situated, detailed particulars of the waqf property, together with a statement of accounts, showing among other things its income and expenditure for five years prior to the commencement of the Act. This statement of accounts will be subject to audit, and it will be open to the public to inspect it. If anybody does not submit the account as

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required by the provisions of the Act, he will be subjected to a fine of Rs. 500 for the first offence and Rs. 1,000 for every subsequent offence. The mutawalli is not liable to punishment or dismissal under the Act, so that the penalty imposed is in my humble opinion a ridiculously low one. The mutawalli, for failure to submit the account, may be liable to punishment under the Indian Penal Code; but not under the Waqf Act. There is therefore nothing to justify in the four corners of the Act any fear on the part of any honest God-fearing mutawalli on this score. It may be said that the public has no right to inspect these accounts. I am under the impression that publicity is one of the chief things which we always want from Government for all their actions. Sir, I am—I hope I shall be pardoned for saying so—surprised at the attitude which the Hon'ble the Home Member has taken in this matter. The Hon'ble the Home Member is an enlightened member of the respected Muhammadan community. He proposes, as a member of the Government, to appoint a committee which will obviously collect opinions from various persons and bodies. Does Government really expect that persons who are interested in this matter, persons whose pockets are likely to be touched by this Act, are likely to give an opinion in favour of this Act? Does Government expect that the committee which will go about the length and breadth of these provinces collecting information from everybody concerned will be able at all to throw much more light on the question than there is already before us? We have seen so many Muhammadan friends rising one after another in support of the resolution. They represent a large area of the constituency and a large body of the community. The only solitary opposition has proceeded from Nawabzada Muhammad Yusuf. This fact is before Government. So far as non-Muslims are concerned, I am not prepared to look upon the question from the point of view of a spectator nor am I willing to adopt an attitude of benevolent neutrality, as one of those who sees daily before his eyes the mismanagement of Hindu trusts. I am sorry to say that some Hindu mahants have mismanaged the funds which were originally meant by their donors for charitable and religious purposes and have diverted them for personal and selfish ends. I cannot, therefore, observe an attitude of neutrality in this matter. I am entirely in favour of this Act so far as the Muhammadans are concerned; and if and when such a measure is passed by the Legislative Assembly and this Council is called upon to extend it to the United Provinces, I shall be the first person to ask for an application of that Act so far as Hindu religious endowments are concerned. It is in the interests of the community that these endowments should come under proper supervision and proper inspection. We suffer a good deal for want of funds for so many of our national purposes. Education wants funds; agriculture wants funds; sanitation wants funds. Our religiously inclined ancestors had not these particular charities in mind, but they had certain things pertaining to public interest when they endowed these properties and when they set apart these properties for religious purposes. It is, therefore, for the advancement of national causes, it is for our national progress that the management of these properties must come under proper supervision. It is in the interests of the donor and the honesty of those in charge of those trusts that some check should be placed on their income and expenditure. Sir, I am not

prepared to say with Dr. Zia-ud-din that the Government is a guardian of the people. We have outlived that stage. I believe in what an author of a book on political science has said, that Government means the organized will of a community. Here the organized will of a community is in some matters represented in this House and I ask the Government to take note of that "will" as represented to it in a constitutional manner. My friend the Nawabzada Sahib has thought it fit to conjure up several facts. He speaks of dumb millions as he calls them. But it is as a representative of this number of dumb millions that he is in this House. He also conjured up the fact that the auditor will perhaps be required to get his fees from the trust property. The trust property should pay for the labour done. He went on to the length of saying that these auditors will not be able to examine these accounts if they are kept in Urdu and the auditors will compel the trustees to maintain their accounts in English. This is more or less a trivial matter. I think that is not a fear which should deter the Government or the enlightened Home Member from enforcing the Act at as early a date as possible without having recourse to the appointment of a committee. My experience of such committees is not a very happy one. I ask the Hon'ble the Home Member again to look into the question from a financial point of view which must have its weight with Government. The expenditure over the committee will not be a light one and I think on the score of expenditure alone he should not appoint a committee but should go ahead with this reform of an urgent and necessary character.

The Council then adjourned for three-quarters of an hour.

After the adjournment the Deputy President took the Chair.

Mr. Masud-uz-Zaman : The resolution as it stands on the agenda paper seems an extremely simple one and seemingly an innocent proposition, and I think there will be hardly a single Muhammadan in this Council who will disagree with the principle of the resolution itself; but when we come to think of the effect that the immediate application of the Act will have on many trusts we will have to admit that it is not such a simple proposition as it appears to be. There are many points that have to be taken into consideration before we pass this resolution. The Act itself in my opinion anticipates that it will not be brought into force immediately in the provinces. Now let us examine the Act itself. There are two operative parts of the Act. The first part requires every mutawalli to submit a list of properties and the deed of the waqf, if any, and the second part requires him to submit an account of the last five years. It is to this part to which I take strong objection if the Act is immediately applied in these provinces. Annual accounts ought to be submitted by every "mutawalli" and that is the only way in which the administration of waqf property can be improved, but to submit an account for the last five years—

Lieut. Shaikh Shahid Husain : I do not think that my friend is entitled to go behind the Act.

The Deputy President : The honourable member will please confine himself to the resolution.

Mr. Masud-uz-Zaman: I am simply explaining the provisions of the Act. In the morning my friend the mover told me that the Act required only five years' income to be shown in the account by the mutawalli, but that is not the fact. If we read section 3, clauses (c) and (d), together with section 4, it comes practically to this that the mutawalli has got to submit these accounts for the last five years. Section 3 says that he will have to submit the gross amount of such income which has been collected during the five years preceding the date on which such a statement is submitted. Section 3, clause (c), says:—"An estimate of the expenses annually incurred in the realization of income of the waqf property based on such details as are available of any such expenses within the period to which the particulars under clause (c) relates," and section 4 allows every member of the public to criticize and to ask for full particulars of those details. Thus it is evident that these sections read together clearly provide for the submission of accounts for the last five years. This retrospective effect will have naturally great disadvantages and place great hardships on those mutawallis, however honest and however conscientious they may have been, who have not been keeping regular accounts. There are, I think, many mutawallis—it will have to be admitted with shame—who have been spending money realized from the waqf properties for their private benefit, but there are also others who have a saintly character: they simply consider it a sin to touch the money and spend it for their private purposes. They have been spending money for the public good according to the terms of the waqf but have never kept an account. I ask, Sir, whether it is fair that they should be asked for an account which, under no law that I know of they were ever bound to keep before the passing of this Act. This was anticipated by the Act, otherwise there was no necessity in fact for the Imperial Legislature to have left the application of this Act on the ground of mere expediency to the Local Governments. They could have made it applicable to the whole of India and could have easily done away with the opinions of the Local Governments. But I think the Legislative Assembly has rightly left it to the Provincial Governments to apply the Act severally whenever they think fit. Five years' accounts have to be filed and they can only be claimed since the passing of the Act. For this reason I submit that this Act must be given effect to from the time five years after the passing of the Act of 1923 and I think before that it will neither be fair to press for accounts of the last five years nor will it be expedient to place a very dangerous instrument in the hands of that vicious class of men who may for private purposes try to harass these most conscientious . . .

Lieut. Shaikh Shahid Hussain: A point of order, Sir. The honourable member is criticizing the Act itself.

Mr. Masud-uz-Zaman: I am simply saying that it cannot be applied unless and until the mutawallis have been given a chance of keeping accounts. We should wait until conscientious mutawallis have been given a chance to get used to keeping an account and have five years' accounts ready, i.e., this Act should come into force in five years. It is perfectly clear that you cannot ask for an account which they were not accustomed to keep and most of them have not kept. I do not see how my friend raises the objection that I am criticizing the Act itself.

Rai Bahadur Lala Sita Ram : How long was the Act before the Assembly?

Mr. Masud-uz-Zaman : It may have been for any length of time. Until it has been passed it cannot be said that the mutawallis ought to have known that they would have to keep accounts.

As I was saying, it is placing an instrument in the hands of such of the vicious people who may try to harass and injure the conscientious and honest mutawallis until they have a chance of keeping a regular account of their own. If that chance is not to be given then the only result will be that we will drive them to produce an account which may be quite different and quite dishonest, and conscientious men will be loath to do this. It is only those who have been spending money of waqf properties for their private ends who must have kept accounts to safeguard themselves. Otherwise very few people care, as the situation is at present in this country, to keep any accounts, and they, I mean the honest mutawallis, will therefore be the first victims. In the name of these people I certainly oppose this resolution, in so far as the immediate application of this part of the Act is concerned. As to the former part, i.e., submission of lists of waqf properties, I am entirely with the honourable mover.

Pandit Nanak Chand : I had no mind to participate in this debate but it appears that my friends the Muslim supporters of this resolution have made a tactical mistake in spending all their powder and shot and not reserving their forces for a reply to the opposition. I have been asked by one of my Muslim friends to say something in reply to the last speaker and also to associate myself with the purport of this resolution with which I agree. I might draw the attention of my friend, the last speaker, to section 3, sub-clause (c) to sub-clause (1). It reads "the gross amount of such income which has been collected during the five years preceding the date on which the statement is furnished or of the period which has elapsed since the creation of the waqf, whichever period is shorter." My friend while speaking in opposition to the resolution appeared to me to be labouring under the impression that this provision required mutawallis to submit a detailed account of the. . . .

Mr. Masud-uz-Zaman : I rise to a point of order. I have said that clause (c) read together with clause (e) and section 4—all these read together mean that an account may be submitted. I have explained it purposely.

Pandit Nanak Chand : I was pointing out that the words "gross amount" of such income ought to be interpreted in the light in which ordinary phraseology would admit of their interpretation. If on the other hand my friend submits that this is the initial mistake that the Legislative Assembly made.

Mr. Masud-uz-Zaman : I never meant that. I simply said that in one clause it is asked for to submit all income in the other clause it is asked for to submit an account of that income in detail.

The Deputy President : The present speaker is making the same argument and I think he is entitled to pursue his speech uninterrupted.

Pandit Nanak Chand : If my friend implies that the Legislative Assembly made a mistake in having the present phraseology I am not going to defend them, but the fact is there that in spite of the presence of quite a responsible section of the Assembly, I mean the Musalman members of the Assembly, this Bill was passed unanimously. The Bill, as was pointed out earlier this morning, was before the country for two years and even more, and the Assembly took into consideration all the opinions of the parties interested in the question that were offered. If my friend says that it is difficult for the Government to introduce this Bill on account of this difficulty, then I am afraid that unless this Act is amended by the Legislative Assembly there will be no means of overcoming this insurmountable objection coming from him and Government will not be able to give effect to this measure, because whenever a proposal will be brought forward to give effect to the Bill in this province the same insurmountable objection will be there that it requires mutawallis to file a five years' account.

The other proposal which the honourable member was pleased to make before this House was to put off the operation of this Act for another five years and give mutawallis time to begin preparing their accounts. He has failed to give any convincing alternative which could be taken up to meet his difficulty. He has suggested that this is a very dangerous instrument which is likely to be abused by vicious people. I do not know whether the learned supporters of this resolution are included by him among those vicious people for having given their unqualified support to the introduction of this dangerous instrument. I have in my mind my friends who are considered very responsible and sober gentlemen, Dr. Zia-ud-din Ahmad, Dr. Ganesh Prasad and Dr. Shafa'at Ahmad Khan.

Mr. Masud-uz-Zaman : As a personal explanation, Sir, I may say that it was clear that I referred to those people who are private enemies of the mutawallis. There was no slur and I should be the last person to cast any slur on honourable friends in this Council, and I think it is a very great injustice to me to have interpreted my clear words in this light.

Pandit Nanak Chand : I am glad to learn what my honourable friend meant to imply, because I was labouring under the misapprehension that perhaps my honourable colleagues in this Council were included among that class owing to their association with this resolution. But if there is that fear on the part of some honourable members of this House that this provision will act harshly on the mutawallis, I can suggest a more practicable solution that while the Government will frame rules to give effect to this Act in this province, it may issue instructions to courts generally that in the case of certain saintly mutawallis who have not kept any account and who are considered sufficiently above suspicion, their case might be dealt with leniently as regards the submission of five years' gross amount for some time to come. It was very disappointing for the Hon'ble Home the Member to have suggested that he is going to appoint a committee. He did not inform the House whether the telegrams that he had received opposing the resolution were telegrams from disinterested independent Musalmans and Muslim Associations. That is a very pertinent point in question. My friend (the last speaker) informs me that even he does not

differ from the principle of the resolution but he wants to put it off. As was pointed out by my friends from Meerut and Aligarh, this will only put off the introduction of this measure in this province and I certainly think that members who are opposing this resolution are, instead of helping the proper utilization of the endowment funds, helping some of the unscrupulous mutawallis who have not kept themselves straight in the matter of accounts or the application of funds. With these words I support the resolution. I consider that it is only just and proper that charitable endowments meant for public purposes should be properly utilized and the Government should not put off this measure by appointing a committee, as the opinion on this resolution and on the question of principle underlying the same appears to be unanimous with the exception of the member from Allahabad and some of his personal friends.

Lieut. Shaikh Shahid Husain: I am not very much surprised at the opposition of my friend Nawabzada Muhammad Yusuf. I am not further surprised at the inconsistent speech he made today. I may point out with reference to it, that originally he was anxious that private trusts should not be touched by the application of this Act in these provinces. I have every sympathy with him as far as that is concerned, and if the Act had encroached on private trusts, personally I would have given him my support. If I rose to object to his amendment, I did so because in my humble opinion that amendment was absolutely uncalled-for and instead of simplifying issues, it further complicates it. I will take up that point first.

I want to read the definition of "waqf" from the Act itself. Before I proceed, I may mention that there are two kinds of waqf under the Muhammadan Law; one, the private waqf and the other public waqf. As far as the public waqf is concerned, I take it that there is no opposition in this House, the provisions of the Musalman Waqf Act of 1923 should be applied to it. If I am wrong, members may correct me. In fact, I challenge my friend Nawabzada Muhammad Yusuf to say if he dissents from my proposition.

Nawabzada Muhammad Yusuf: The whole of my speech is directed towards public waqfs as well as private waqfs. I may further say that the whole trend of my speech was that if the objectionable features of the Act were not so many, it might be acceptable to us all.

Lieut. Shaikh Shahid Husain: I am very thankful. I understood that he wanted to exclude the applicability of the Act to private waqfs, but now he has made it clear that he not only objects to its applicability to the private waqfs, but also public waqfs. I will now read the Act with reference to the definition of "waqf." Section 2—Definitions—clause (e) reads as follows:—" (e) 'Waqf' means the permanent dedication by a person professing the Musalman faith of any property for any purpose recognized by the Musalman Law as religious, pious or charitable, but does not include any 'waqf,' such as is described in section 4 of the Musalman Waqf Validating Act, 1913 under which any benefit is for the time being claimable for himself by the person by whom the 'waqf' was created or by any of his family or descendants." The Musalman Waqf Validating Act, as the House will remember, was passed to validate the waqf commonly known as the Waqf-al-ul-aulad among Muhammadans

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which are considered charitable waqfs. For under Muhammadan Law you have to provide for your family: it is the primary duty cast on you and it is looked upon as one extremely deserving in the eye of the Creator. Because there were certain Privy Council rulings which questioned the validity of the Waqf-al-ul-aulad, this Act was passed by the Central Legislature to validate the Waqf-al-ul-aulad as laid down under Muhammadan Law. Now there is one question which has to be solved and it is whether such waqfs created prior to the passing of this Act would be valid or not. The language of the present Act which my friend the mover wishes to be extended to this province is clear. The Legislature has particularly used the expression "but does not include any waqf such as is described—". In other words they have not only confined themselves to the Waqf Validating Act but to all, whether subsequent or prior waqfs *ejusdem generis*. Those of the type of the Waqf-al-ul-aulad, they have distinctly excluded, and I have not the slightest doubt in my mind that there is no cause of apprehension that it applies to Waqf-al-ul-aulads. Thus the private waqfs according to my humble opinion are absolutely excluded from the provisions of this Act and it was for this reason that I objected to the amendment that was moved by my friend Nawabzada Muhammad Yusuf. Because, if the language of the Act is clear then you have no right by a resolution of this Council to put an interpretation which may introduce ambiguity and may put difficulties in interpreting the clear words of the Statute. If I had the slightest doubt in my mind or if you have the slightest doubt in your mind you may even now accept the amendment that private waqfs should be excluded. But the language is so distinct and clear that I submit that we should not impose a construction unwarranted by the language of the Act. I submit that the private waqfs which my friend the Nawabzada Sahib is particularly anxious of excluding from the provisions of the Act do not come within the scope of the Act.

Now I come to public waqfs. Here I beg to differ from him. Under section 92 of the Civil Procedure Code the Court of the District Judge can on the application of two persons who are interested in the trust allow the public to institute suits, not only suits for accounts but for control of the waqf not only for five years but fifteen years and more, as there is no limitation to bar the claims. He can compel a mutawalli if he has not been acting according to the terms of the deed of trust to account, whether he has been embezzling or diverting the funds from the purpose for which they had been dedicated. Even now the District Judge has enough authority not only to check the accounts but to dismiss the mutawalli and further to frame a scheme of management of the waqf to be on such lines as was intended by the creator of the trust.

I may mention that when the British Government took over the government of Bengal from the Moghul Emperors they introduced an Act, which is Regulation XIX of 1810 (Bengal Code) for the preservation of these endowed properties. At present that Qazi—as he is called in Muhammadan countries—whose duty it is to look after endowed properties is the District Judge. I have already mentioned that the powers of the District Judge under the Civil Procedure Code are practically unlimited so far as the charitable and public trusts are concerned.

This Act has simply been passed to enable the District Judge and the public to know the position of such endowed properties ; nothing more than that. It is not meant to be a new law ; it is only intended to simplify the procedure. Instead of the public hunting up for deeds of trust, instead of their hunting up for the amounts of money dedicated, or the extent of the estates dedicated, it is intended that they should be in a position to find out conveniently what are the properties dedicated, and whether the waqf's intentions are being carried out. If the waqf's intentions are not being carried out, then I submit it is a breach of trust not only on the part of the mutawalli himself but it is a breach of trust on the part of those persons whose duty it is to see that the funds are properly spent.

Now, Sir, I hope the fears of my friend Nawabzada Muhammad Yusuf will be removed when he sees further that in section 3, sub-section (iii) it is stated " where (a) a waqf is created after the commencement of this Act, or (b) in the case of a waqf such as is described in section 3 of the Waqf Validating Act, 1913, the person creating the waqf or any member of his family or any of his descendants is at the commencement of this Act alive and entitled to claim any benefit thereunder, the statement referred to in sub-section (1) shall be furnished, in the case referred to in clause (a) within six months of the date on which the waqf is created or if it has been created by a written document, of the date on which such document is executed, or, in the case referred to in clause (b) within six months of the date of the death of the person entitled to such benefit as aforesaid, or of the last survivor of any such persons, as the case may be." This excludes even furnishing of any account by any descendant of a founder of a private trust. I do not know why there should be any anxiety, why there should be any canvassing inside the Council, on this question. I cannot understand. Is it the idea that the mutawalli and the trustees, if they are misappropriating the properties, should be allowed to continue to misappropriate the properties for as long as they please.

Now, Sir, I cannot agree with my friend Nawabzada Muhammad Yusuf when he said that we did not represent dumb masses. He spoke for himself and not for any one of us. We here claim to be not only as their representatives but their spokesmen with fresh mandates.

My friend the Nawabzada Sahib is pleased to say that this Act has been ill-drafted ; that it was ill-considered. I think it is very improper for anybody to say that in this House. The Act was before another set of public representatives and I think they knew their business as much as the Nawabzada himself. I ask that he should point out where the Bill was ill-drafted. I did not come across, certainly my friends did not come across, any defects. Where does the ill-drafting come in ? If my friend had been a little modest he would have given credit to our brother legislators and the representatives therein that they did devote some of their time and attention to the Bill and they knew their business as well as the Nawabzada himself presumes to know it.

As for the appeal to my non-co-operating friends that they should not prefer Government to interfere in the management of waqf properties, it is certainly very amusing. If my non-co-operating friends are true to their principle, i.e., if they are in this House to see that the trust imposed on the Government is fulfilled according to the desires of the masses, then they should see that the property which has been dedicated to our Creator to serve His human beings is not misused, and no trustee,

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whatever his position, and whatever his apparent sanctity escapes rendering account not only to man but to God. One or two points more and I will finish. I am extremely disappointed today at the speech of the Hon'ble the Home Member. I have always expressed it and was never ashamed to have claimed him as my leader. But today it is for the first time, I must confess, that his speech has been a disappointment to me. It looks as if the steel frame of Government was expending.

The Deputy President: The honourable member is exceeding the time-limit.

Lieute. Shaikh Shahid Husain: Sir, I will not take much time now. I only wanted to point this out that the Hon'ble the Home Member should have taken the sense of the House before suggesting that there should be a committee. Will that committee be more representative than the members of this House? Will it bring in more information than the members of this House possess at the present moment? I respectfully submit to him that it is not good delaying the matter. Let us proceed with a just cause, with an honest cause. When the desire is to suppress defalcation and misappropriation I think the head of Law in this House should certainly support us rather than hinder that desire. I do hope that the House will express its views by such a large majority so as to force the hands of the Hon'ble the Home Member to accept this resolution. There is no use in leaving it to an indifferent committee and the public anxiety is that it should be dealt with now.

Rai Bahadur Thakur Mashal Singh Sahib: I move for the closure of the debate. We have discussed this resolution for more than three hours. There are eight more resolutions on the agenda.

The Deputy President: I think the matter has been sufficiently discussed. I call upon the mover to reply.

Mr. Muhammad Aslam Saifi: I said in my first speech that I would not make many remarks in support of my resolution, because I did not expect that there would be any opposition offered, at least by any Musalman, to this resolution. This morning I for the first time learnt that my friend Nawabzada Muhammad Yusuf intended to move an amendment. I saw the amendment, and personally I had no objection to it because in my opinion it was absolutely redundant. As my honourable friend Lieutenant Shaikh Shahid Husain has pointed out, the definition of waqf property is given in the Act and it is absolutely clear on the point. I have also said in my speech that it was not intended to apply the Act to private waqfs. Besides, I understood from the speech of Nawabzada Muhammad Yusuf that he really did not object to the principle of the Act. I believe that no Musalman after having read the first four lines of the preamble would disagree with me. The preamble says: "Whereas it is expedient to make provision for the better management of waqf property and for ensuring the keeping and publication of proper accounts in respect of such properties." But after all he has now made it clear that he not only objected to the application of the Act to private waqfs but also to public waqfs. What is the objection?

Nawabzada Muhammad Yusuf: I agree with the principles of the Act. I said that the Act as it stood was such that it was absolutely acceptable to the parties concerned.

Mr. Muhammad Aslam Saifi: Any way I understood it like this. But what is the main objection that he has raised against the Act itself? The interpretation of the various sections of this Act I must leave to the luminaries of the legal profession. I am a layman and I took the common-sense view of the Act. I, therefore, thought that it was absolutely necessary that the Act must be at once applied to the province in order to make the registration and the rendition of accounts of the waqfs at an early date practicable. The chief objection of the honourable member who has opposed the resolution is about the accounts. He says that the Indian people as a whole are not used to keeping accounts and that, moreover, if they are kept they are kept in bahis. I must point out to the honourable member that practically all the accounts of Indian commercial communities are kept in bahis, and no one ever said that they do not stand or could not stand the test of a qualified auditor. There is no reason why an honest mutawalli should not keep his accounts in Hindustani and yet be able to put them before an auditor. If there are such mutawallis who are conscientious and honest and yet do not keep accounts then it appears that their honesty consists in not keeping the accounts. They receive money and yet they cannot find time and paper and pencil to put it down in writing. This, I suppose, is the sole criterion of their honesty. Disappointment has already been expressed by some honourable members at the speech of the Hon'ble the Home Member. It came to me also as a great disappointment. I notice that just before the Hon'ble the Home Member stood up the honourable member from Cawnpore had read a telegram from the All-India Shia Conference supporting wholeheartedly the immediate application of this Act to these provinces, and yet the Hon'ble Home Member, distinguished member of our community as he is, thought fit to give us this disappointing reply. He says that he must study the pros and cons of this proposition and see how far it is going to affect the work of the courts of District Judges. He thinks a good many cases would be filed relating to the waqfs and the work of the courts would be increased and therefore Government would have to spend money over this business. I think that if many cases are filed in this connection then this will mean more income to Government in stamps. As regards his suggestion that he would like to gather information through the channel of a committee, I think, as has already been pointed out, that that committee will have no more information about the present condition of the waqfs or about the demand of the Muslim public than their accredited or elected representatives possess in this House. The committee will perhaps examine a few witnesses in big cities, and I believe the Government will be guided more by the information that will be placed before it by that committee than by the opinions of honourable members of this House.

The Hon'ble the Home Member further pointed out that he had received a number of telegrams both in support of the resolution and against it. I welcome the telegrams that support the resolution, but with regard to those which oppose the resolution, I must say that there is such a thing as manufactured opposition. However, from the speeches of my

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honourable friends in this House, who are better qualified to speak on the subject than I am, it is absolutely clear that the immediate application of the Act to this province is essential. I know that the present resolution, if passed by this House, will be a mere recommendation to the Government. I had thought that the resolution would be passed by the House unanimously, but now that a discordant note has been struck, I think the fact that it will be carried by an overwhelming majority will still induce the Government to accept it. I think that as a true Musalman it is my duty to bring about the proper administration of the waqf property, knowing as I do that it is not administered properly at present.

Babu Mohan Lal Saksena: Can I explain to the Council the attitude of the Swaraj party in regard to this resolution?

The Deputy President: Under the rules no member can speak after the honourable mover has replied to the debate. I regret I cannot allow the honourable member to speak.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan:

[During this speech the Hon'ble the President resumed the chair.]

I am sorry that I have disappointed so many friends of mine in this House because of the speech that I made earlier in the day declaring the attitude of the Government in regard to this resolution. It has been stated that no opinion outside the Council is necessary on the present resolution, and that the members of the Council are the true representatives of the masses. I agree to this; but has it not been pointed out on other occasions when a measure from Government has been placed before the Council, that a wide publication should be given to it and that the public should first be sounded?

Dr. Shafa'at Ahmad Khan: Was not the public sounded two years ago on this question?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No, not by this Government.

On several occasions the Council made this plea against certain measures which were brought forward by the Government in this very Council. My object in going to the people outside this Council is quite clear. As a member of the Government it is my honest duty to be on my guard and not to create any situation like that in the Punjab with regard to certain gurudwaras. The majority wanted something else. The minority forced its rights. Here there is a minority which is opposed to it. We do not want to be led by them, but we want to hear what objections they have got to put before the Government.

Lieutenant Shaikh Shahid Husain: May I know if it is the policy of the Government that the objects for which the Waqf Act has been created should be strictly enforced?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The object of the Government is to work according to the decision of the

legislature whether it is imperial or provincial. The legislature has passed the Act. We are not going to interfere with it. It is our look-out to find out the opinions of individual mutawallis as well as of political and educational institutions as a body which control waqf properties. After having received their opinions we will be on the safe side to agree to the enforcement of the Act. The honourable mover has pointed out that the Home Member belongs to a particular religion and therefore he must have some respect for the institutions of that religion. I assure honourable members that the Home Member does not belong to any religion as long as he holds the office of Home Member. He does not possess any religion. So it will never appeal to me to accept certain proposals only because it emanates from some particular institution. I would therefore request the honourable members to consider the position of the Government and not to press the Government for the enforcement of this Act at this juncture. We shall be quite happy to enforce the Act unconditionally after Dr. Gour's Bill is passed.

Rai Bahadur Lala Sita Ram : What has Dr. Gour's Bill to do with this Act, Sir ?

Nawabzada Muhammad Yusuf : The principle is the same.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : It will govern the waqf properties of Hindus on almost the same principles.

Rai Bahadur Thakur Mashal Singh : If the Muhammadans want it now, why should they wait ?

Rai Bahadur Lala Sita Ram : Does the Hon'ble the Home Member mean that Muhammadans are to wait till Dr. Gour's Bill is passed ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I want to be earnest over the main question, hence I do not wish to go into minor details. The committee, perhaps will be only of an advisory character.

Pandit Nanak Chand : Would it be a standing committee ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : It will be only to advise Government on the question of the extension of the Act. After the committee have submitted their report there will be no difficulty for the Government to announce its decision. With these words I submit that the Government is prepared to appoint a committee if the majority of the Muhammadan members of the House will vote in favour of the application of this Act to these provinces.

Babu Bhagwati Sahai Bedar : May I know whether only the Muhammadan members are to vote or Hindus also ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I did not say that Hindus should not vote.

The resolution was put and the Council divided as below :—

Ayes (45).

Raja Muhammad Ejaz Rasul Khan.
Mr. H. C. Desanges.
Mr. H. David.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Thakur Moti Singh.
Rai Bahadur Lala Sita Ram.
Babu Bhagwati Sahai Budar.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Babu Nemi Saran.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Thakur Har Prasad Singh.
Thakur Keshava Chandra Singh Chaudhri.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsadh Narayan Anad.
Pandit Yajna Narayan Upadhya.
Pandit Raja Ramji.
Babu Dip Narayan Roy.
Thakur Hanuman Singh.

Pandit Goyind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Mishra.
Rai Bahadur Thakur Mashal Singh.
Babu Sita Ram.
Babu Bindeshwari Prasad.
Thakur Hukam Singh.
Dr. Muhammad Nafis Amari.
Mr. Muhammad Akbar Jaffi.
Maulvi Zahur-ud-din.
Dr. Zia-ud-din Ahmad.
Haliz Hidayat Husain.
Maulvi Abdul Hakam.
Dr. Shafiat Ahmad Khan.
Khan Bahadur Hakim Mahbub Ali Khan.
Mr. Ashiq Hussain Mirza.
Lieut. Shaikh Shahid Husain.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Lala Mathura Prasad Mehrotra.
Lieut. Shaikh Intiaz Rasul Khan.
Dr. Ganesh Prasad.

Noes (8).

Rai Bahadur Babu Shankar Dayal.
Rao Abdul Hameed Khan.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Kunwar Inayat Ali Khan.

Khan Bahadur Chaudhri Amir Hasan Khan.
Nawabzada Muhammad Yusef.
Sidiyid Muhammad Ashiq Hussain.
Khan Bahadur Maulvi Fasih-ud-din.

The resolution was accordingly adopted.

RESOLUTION re COURT FEES ON COPIES.

Rai Bahadur Thakur Mashal Singh : I beg to move—

That this Council recommends to the Government to reconsider its decision withdrawing the remission of court fees on copies of documents required for private use, and with a view to secure remission in such cases suggests that no court fees be charged for any copies till they are actually filed in court.

All copies of documents if produced in court, are chargeable with court fees under articles 6-9 of schedule I of the Court Fees Act, if these have not already been charged under the Stamp Act. Unfortunately section 6 of the Court Fees Act is so worded as to charge every copy of a document when it is issued, irrespective of the fact whether it is for private use or for the purpose of filing in court. Section 35 of the Act, however, contains a provision that the Governor General can, by notification, remit or reduce the amount of court fee which is to be paid for any of the documents chargeable under schedule I. In exercise of this power the Governor General, by notification, had exempted the copies of documents which were obtained for private use, from court fee. This notification, however, was somehow or other misunderstood and as a result of this all the copies were presumed to have been obtained for private use and were not charged with court fee at the time when they were actually issued. It is now said on behalf of Government that this has caused a considerable loss to

the revenue of the Government, but in my opinion this argument is fallacious. As all the copies were charged with court fees when they were actually filed in court, no copy ever escaped payment of court fee. Only those copies were not charged with court fee which were obtained for private use. So as a matter of fact the objects of the notification were achieved in practice though not in theory. According to the law every copy ought to be charged with court fee at the time of the issue, but as a matter of fact those copies which were actually produced in court were charged with court fee and those which were issued for private purposes escaped court fee. So there can be only this much difference that the copies were not charged a little earlier, i.e., at the time of issue. This object could have been achieved by issuing strict orders to the various courts from which copies were issued that, instead of charging the court fee at the time of the production it should be charged at the time of issue, if they were intended to be filed in court, but the Government has gone to the other extreme and has withdrawn exemption from all copies, and consequently at present all the copies, whether issued for private use or for purposes of being filed in court, are charged with court fee. This is, I think, unjust. The members of the Council are aware that recently copying charges have been increased and the rate of court fee has also been increased. Coupled with this if you compulsorily charge all the copies at the time of issue, the cost of obtaining copies will become, I think, prohibitive. The administration of justice should, I think, be free of cost, but now the Government is making the department of Justice a permanent source of profit. That should not be so.

I think there is another side of the picture. If these rules will remain in force, in course of time the Government will find its copying income reduced, because it is our experience that in criminal as well in civil suits when a case is ripe for argument copies of statements, issues and other proceedings are obtained for the use of the lawyers. Now what is happening and what will happen is this that, instead of obtaining copies formally through the copying department, the litigants will try to get unauthenticated and uncertified copies surreptitiously and in this way much loss to the copying department will, I think, be done.

For these reasons I think that copies which are issued for private purposes should not be charged with court fee. There are certain copies which can never be produced in court such as the judgments of the Court of Judicial Commissioner, unless the case is appealable to the Privy Council. I think those copies would never be produced in court, but when you apply for a copy of the judgment of the Judicial Commissioner's Court you must give some court fee. Why should it be charged with court fee when it is not going to be produced in any court? I therefore think that both in the interests of the litigants as well as in the interests of the Government these copies should be exempted as they have hitherto been and I hope this resolution of mine will not be opposed by Government and will meet the whole-hearted support of the Council.

The Hon'ble Mr. S. P. O'Donnell : I am prepared to accept this resolution. It was not our intention in cancelling the remission merely to secure additional revenue by exacting fees in the case of copies which are required for private use. Our idea was that unless the remission

The Hon'ble Mr. S. P. O'Donnell:]

were cancelled, fees would not be paid for a large number of copies which were not required for private use. However, it has been brought to our notice—in fact it had already been brought to our notice before this resolution was moved—that there are objections to the cancellation of this remission and we have called for reports from all the districts. As soon as these are received we are prepared to re-examine and reconsider the previous decision. I hope that will satisfy my honourable friend.

The resolution was put and adopted.

RESOLUTION *re* COMPLAINTS BY GOVERNMENT SERVANTS TO MEMBERS OF COUNCIL.

Pandit Brijnandan Prasad Misra: I beg to move—

That this Council recommends to the Government to cancel all orders and instructions issued by it heretofore, prohibiting Government servants from approaching the members of the Legislative Council with a view to placing their grievances and other matters, not covered by the Official Secrets Act, before them."

I am sorry that I have formed the impression that there are such orders or instructions, though I do not know the nature of the instructions or the orders for the cancellation of which I am now moving before this House. But the existence of these orders or instructions cannot possibly be denied. I had in the October session of this Council put certain interpellations in reply to which I got the information from the Government that the orders and instructions did in fact exist. My question was answered by the Government on the 5th October, 1923. The question that I had put was—"Will the Government inform the Council if it has issued any order, letter, circular, rules or regulations in the present year prohibiting Government servants from approaching members of the Legislative Council and disclosing to them their complaints and grievances? If not, have any orders been issued by either Government or the Heads of departments relating to the approach of Government servants to members of the Legislative Council for any purposes whatsoever?"

(b) Will a copy of the orders be laid on the Council table?"

I tried when putting these questions to make them as much comprehensive as possible so as to leave absolutely no loophole to Government in giving a reply and I tried that I might close all the avenues through which the ingenuity of the Government could possibly flow. The reply that it gave said this—"Government is not prepared to disclose the nature of any confidential instructions issued to its servants. The published orders are contained in rule 17 of the Government Servants' Conduct Rules. The honourable member's question reveals that some Government servant has been guilty of infringing the Government Servants' Conduct Rules and is the best possible justification of the orders issued." Now this reply, by implication, seems to be clearly expressing that there are certain instructions or orders which prohibit Government servants from approaching members

of the Legislative Council. If these orders had related only to certain information contained in official documents which came to them in the ordinary course of their duties, they would have been completely justified. I myself, with all my reputation for unreasonable stubbornness, would in that case not have gone to the length of asking this Council to pass my present resolution. But the instructions of the Government do not obviously seem to be upon the point of these documents alone, for I have made my question still more explicit by asking the Government its attitude as regards the approach of Government servants to Members of Legislative Councils for the purpose of placing their grievances, as distinguished from the official secrets, before them. That question of mine was No. 18 of the same date and was—"Will the Government state its position clearly by informing the Council if it disapproves of the conduct of Government servants who make their grievances known to the members, as distinguished from such departmental secrets as come under the Official Secrets Act?"

The reply to this question also was that—"the honourable member is referred to the answer given to question No. 17 today." The answer to question No. 17 was the one which I had already read out. I thought that by putting these questions Government which had perhaps made a mistake in issuing the orders would rectify it by cancelling them and would not compel me to bring the matter before the House in the form of a resolution. But the attitude shown, in replies, by Government left me no other way but to move a resolution, and I am now moving it in the hope that it will be unanimously supported by the Council. The reasons are very clear why a prohibition like this should not be allowed to exist. The Government servants are no doubt serving Government, and for the purpose of the discharge of their duties the Government can tell them to do or to refrain from doing certain things, but I cannot think that Government is in any way justified in putting unnecessary and unjust limitations on the civil rights and liberties of these persons. They have certain civil rights and liberties. And it is very necessary that they should not thus completely be debarred from approaching members of Council for whom they are allowed to vote and whom they expect help from in times of necessity. Every Government servant who is a resident of this country occupies two positions, one is that of Government servant and another that of a resident, of a citizen, in the British Dependency of India. Now in both capacities it is necessary that he should be able to approach members of Council. There might be injustices which he may have to complain of, there may be many other things which might be affecting his rights as a civil citizen, which he might be compelled to bring before the members of Council. But if by a wholesale order of this kind he is prohibited from approaching members who are his representatives, just as much as they are representatives of any other people, then it is a very cruel fate for him. Of course the thing would have been right if the instructions had only related to questions of official secrets, but an absolute prohibition of this kind is most unjust. Even in matters of their services they may have to approach members for representations. We know that in this matter the people have to depend entirely on their superiors and the decisions of those superiors

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are certainly not superhuman. Superiors do make mistakes, which result in injustice and oppression upon the lower services. If the lower services are thus shut off from representation, it is very unjust. We all know that when one officer gives a decision in one way another officer, his immediate superior, may think otherwise in appeal but he may wish to support his immediate subordinate than to correct the mistake and remove the injustice.

It cannot be denied that the services—at least the lower services—which are affected most by the circular or order, have got very serious grievances. They have got grievances in respect of their promotion, and it is a matter of common knowledge, although not general, still instances would not be found wanting in which injustice has been done in matters of promotion. Favouritism is not a matter of past history: it may be found in existence even today and as long as these complaints do exist, there is no justification for their being shut out from approaching members, who at best will make a representation to the Government in Council to redress the injustice. If they approach agitators who are irresponsible persons, it would be a different matter. If these instructions had been brought into existence after the entry of the non-co-operators in the Council it might perhaps have been in conformity with any grain of sense: but these are old orders which have been in existence for more than a year or for a year. Of course its existence from that time is certainly unbearable. The question is whether it is right that the persons who are as much a part of the constituency of the members as any other person, should be cut off from him and the two should not be allowed to meet.

Another thing which has to be kept in view is that if these persons are allowed to keep themselves dependent entirely upon their superior officers, the consequence would be that they will try to satisfy and please their superior officers by any and every means howsoever undignified and howsoever servile and unbecoming they may be. Therefore it is a question which affects the civil rights of one important part of the community and which the Council is not justified in ignoring. What right has the Government to put any sort of restrictions in their way? The Official Secrets Act is already in existence. It was passed in 1889, and in section 4 it provided that "Where a person, by means of his holding, or having held an office under His Majesty, has lawfully or unlawfully either obtained possession of or control over any document, sketch, plan or model, or acquired any information, and at any time corruptly or contrary to his official duty, communicates or attempts to communicate that document, sketch, plan, model or information to any person to whom the same ought not to be communicated at that time, he shall be guilty of a breach of official trust."

Now, was not this provision completely sufficient for preventing the Government servants from making any improper communication to any undesirable person? But matters did not end here. There are also the Government Servants' Conduct Rules. Under rule 17 it is provided by the Government that "a Government servant may not, unless generally or especially empowered by the Local Government in this behalf, communicate directly or indirectly to Government servants belonging to other departments or to non-official persons or to the Press any document or

information which has come into his possession in the course of his official duties or collected by him in the course of his duties whether from Government source or otherwise." These preventive sections want to stop the Government servants only from making a disclosure of documents or other papers which come before them in their official capacity in the discharge of their public functions. Government was not satisfied with this. It thought that it could make them completely enslaved and therefore matters did not end here. Further instructions were issued. These instructions are not, as I told you, before me and therefore I would not say in detail what they are, but their nature can be sufficiently gauged and it can fairly be concluded that they should not be allowed to exist any more.

Another thing is, that the Council must clearly see that although the instructions might perhaps be meant for the European service just as much as for the Indian service, yet the European Government servants are not affected by them. If they have any sort of grievance they can rush directly to any high official and a commission of inquiry can be appointed any day. They need not go to the members of the Council. If the European services have also been in the same difficulty, then perhaps these instructions would not have remained in force for a day longer. It is now in the hands of this House to say whether it would like the lower services to be thus oppressed and terrorized, or to remove the ban which has so long been binding them. The Indian services have absolutely no source for the ventilation of their grievances. The Government have not got their solicitude at heart. Government may appoint a Royal Commission for the higher services, but there is nothing for the lower services, except this House, and this House is I think bound in honour to support this resolution.

With these words I commend the resolution for the acceptance of the Council.

The Hon'ble Mr. S. P. O'Donnell: I rise at this stage in the hope that by so doing I may be able to shorten the length of this debate.

The honourable mover of this resolution is under the impression that we have issued certain "wholesale" orders. The expression is his. I desire to remove this misapprehension. When I was asked by him what orders Government had issued, I refused to give the orders on entirely general grounds, and not in the least because there was anything in the orders which we were not prepared to defend. Now that the question has been raised in the form of a resolution, I have no objection to indicating the purport of these orders. Our orders are based on and are identical with those issued by the Government of India, which will be found in the proceedings of the Legislative Assembly. They do not prohibit communications by Government officials to members of the Legislative Council in general. All that they do is to draw attention to rule 17 of the Government Servants' Conduct Rules and to warn them against making any communication which involves an infringement of that rule. Rule 17 is of course an old and a very salutary provision, and I gather that the honourable mover himself has no objection to it. I may point out further that rule 17 is entirely in accordance with and almost identical with a provision in the Official Secrets Act. The honourable mover quoted from that Act; unfortunately he is not quite up-to-date—

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he was referring to the old edition. There was an Act passed last year, i.e., in 1923. If the honourable member will refer to section 5 of that Act he will find that it contains a provision which is exactly the same as rule 17. He will find that any person who communicates any information which he has obtained in his official capacity to any person, other than a person to whom he is authorized to communicate it, is guilty of an offence. Of course if the information communicated was not of an important character the official would be dealt with departmentally under rule 17.

Fandit Brijnandan Prasad Misra: Are there any restrictions on Government servants approaching members?

The Hon'ble Mr. S. P. O'Donnell: There are no orders prohibiting Government servants from approaching members. What the orders say is:—"Apart from the fact that the questions involved are, rarely, if ever, of public importance, the practice usually entails disclosure to non-official persons of information which has been obtained from official sources and has come into the possession of the Government servant concerned in the course of his official duties, and any such disclosure is a breach of rule 17 of the Government Servants' Conduct Rules."

I ought perhaps to make it clear that we do deprecate—though we have not prohibited, the resorting by officials to members of the Legislative Council for the redress of individual grievances. As a rule, in such cases there is no issue of public importance involved. It is well recognized in the House of Commons that matters of that kind—matters not involving any issue of public importance—are matters for the Executive Government to decide and it is desirable, in the interest not only of the discipline of the services but of the Council itself, that our practice should follow the House of Commons. I do not deny that in very exceptional circumstances the action taken in the case an individual officer may raise an issue of public importance, and if it does there is nothing in our orders to prevent the matter being raised in this Council. And of course questions affecting a service generally stand on a different footing from individual grievances. It is entirely right and proper that all matters touching the provincial services in general should be discussed in this House. We have had frequent debates on such matters as the method of recruitment of a particular service, its pay, prospects, and promotions. All these are matters of public interest and it is entirely right that they should be discussed here. Nor is there anything in our orders which stands in the way of discussion; for of course the facts are all known to the public. They are contained in documents to which the public have access. All that we deprecate—though we have not prohibited it—is the resort by officials to individual members of the Council for the redress of purely individual grievances not raising any issue of public importance.

What I have said I hope will satisfy the honourable mover and the Council. We have not issued any orders of the kind imagined by the honourable mover. We have merely drawn attention to a long-standing rule which was made by the Government of India, is in force in all provinces and is essential in the interests of the administration.

Rai Bahadur Lala Sita Ram : I have just one observation to make in this connection. I must say that the statement which the Hon'ble the Finance Member has made has convinced me at least, and if he had only been pleased to be as lucid and as informing in the answer to the question of the honourable member for Pilibhit I think he would have saved us this debate in this House.

Another thing I would like to bring to the notice of the Hon'ble the Finance Member and to the notice of the Chief Secretary, who is sitting behind him, is this. I know—not that the Government servant concerned has approached me, but I myself approached the Government servant concerned—I know that in consequence of the criticism which I had the misfortune to utter in this Council, certain Government officers suffered because Government thought that they had inspired me in that criticism. I entirely dissociate myself from that. I think I know my business in this Council, and I am the last man to use any information I may privately get from any official on the floor of this House. Government was entirely on the wrong track in that matter and the Government officer concerned, whose name I will give, if necessary, privately, has suffered for nothing simply because Government thought that he had inspired the criticism, whereas he did not. Unfortunately I happened to be one of the critics of the Government and I hope to remain one until of course some shift takes place. But in my criticism of the Government I have never been actuated by any desire to embarrass the Government for any individual grievance, and I have never used information given to me to embarrass the Government in that manner. Of course it is my lot to criticize the Government, and simply because a Government officer belonged to a certain district in which I happened to live and I criticized his particular department there is no reason why you should put two and two together and make four out of it.

I hope that after the statement made by the Hon'ble the Finance Member the honourable member for Pilibhit will have no objection to withdraw his resolution.

Pandit Brijnandan Prasad Misra : I am sorry I cannot withdraw the resolution.

The resolution was put and the Council divided as below :—

Ayes (31).

Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Sakseena.
Babu Damodar Das.
Thakur Moti Singh.
Babu Bhagwati Sahai Bedar.
Babu Nemi Saran.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Thakur Har Prasad Singh.
Thakur Keshava Chandra Singh Chaudhri.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narain Anad.
Pandit Yajna Narayan Upadhyay.
Pandit Raja Ramji.
Babu Dip Narayan Roy.

Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Babu Sita Ram.
Babu Bindeshwari Prasad.
Thakur Hukam Singh.
Rai Bahadur Babu Shankar Dayal.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Lieut. Nawab Jamshed Ali Khan.
Dr. Shafiq Ahmad Khan.
Mr. Ashiq Husain Mirza.
Shaikh Abdus Samad Ansari.
Lala Mathura Prasad Mehrotra.

Names (29).

The Hon'ble Mr. S. P. O'Donnell.
 The Hon'ble Raja Sir Muhammad Ali
 Muhammad Khan, Khan Bahadur.
 The Hon'ble Lieut. Nawab Muhammad
 Ahmad Sa'id Khan.
 The Hon'ble Rai Rajeshwar Bali.
 Mr. G. B. Lambert.
 Mr. E. A. H. Blunt.
 Kunwar Jagdish Prasad.
 Mr. G. B. F. Muir.
 Mr. A. C. Verrières.
 Mr. C. E. D. Peters.
 Mr. J. R. W. Bennett.
 Mr. S. H. Fremantle.
 Mr. K. Burn.
 Mr. W. S. Cassels.

Mr. A. G. P. Pullan.
 Mr. H. G. Billson.
 Mr. A. D. Ashdown.
 Lieut.-Colonel R. P. Baird.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.
 Mr. H. David.
 Babu Khem Chand.
 Rai Bahadur Lala Sita Ram.
 Pandit Nanak Chand.
 Rai Bahadur Thakur Madhal Singh.
 Khan Bahadur Chaudhri Amir Hussan
 Khan
 Hafiz Hidayat Hussain.
 Maulvi Abdul Hakam.
 Khan Bahadur Maulvi Fasih-ud-din.

The resolution was accordingly adopted.

RESOLUTION *re* THE SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

Nawabzada Muhammad Yusuf : I beg to move.

That this Council recommends to the Government that it may be pleased to give early effect to the scheme for the separation of judicial and executive functions as formulated by the committee appointed in 1921, making such modifications as are absolutely essential in the interests of economy.

I do not think I shall be justified in inflicting a long speech, as I am sure every member of this House must be tired and will not have the patience to hear me. I will very briefly give the history of this question. As far back as 1886 this question was first taken up by the Congress, as this House must be aware, and the Congress year after year pressed for it and an agitation by the public also went on. In 1893 the Secretary of State for India accepted the principle of the resolution, but he did not move in the matter at all and let things drift, as is characteristic of the Government nowadays and has always been in the past. Pusillanimity and indifference had always marked the policy of the Government in the past. In 1908, the Home Member of the Government of India for the first time announced that the Government were going to give a trial to the scheme for the separation of executive and judicial functions. This scheme was tried in Bengal in two districts. We do not know whether it was a success or not. As far as the public had come to know of it, it is this that it was not introduced in the form in which it was desired. Thereafter we heard nothing about it, and neither the provincial Government nor the Secretary of State thought of the question. In 1921, here in the United Provinces the Hon'ble the Home Member to the gratification of the House made the announcement that the Government was prepared to give a trial to the scheme of separation of judicial and executive functions. I remember how this announcement was hailed by this House. I also remember how an announcement was also made by the Financial Secretary. He also made on another occasion a similar announcement. Thereafter, my friend Babu Chhail Behari Kapur, who, I am sorry is not present in this House, moved a resolution seeking the separation of judicial and executive functions. There was an amendment to it which he accepted asking for a non-official majority on the committee. This was done with the main object of seeing that the deliberations of that

committee were carried without any unnecessary delay, The question was then referred to a strong and representative committee whose report has found favour with a large section of this House. But Sir, we are not aware what has really been done since. The last we heard about it was in 1923 when the Hon'ble the Finance Member gave us the assurance while discussion on the Stamp Act was on. These are his words: "Now, Sir, I have been asked by one honourable member about the separation of judicial and executive functions. It has been suggested that if we pass this measure Government will still take up the same position and that they will say that they have got no money to carry out these reforms without further taxation. I wish to make it quite clear that is not our intention. If these Bills are passed, we intend to put in the budget for 1924-25 a provision for the separation of judicial and executive functions. Of course as the honourable member knows, sanction of the higher authority is necessary. Granting, Sir, that the sanction is received, we definitely undertake to make provision in the budget of 1924-25".

This assurance of the Hon'ble the Finance Member was hailed in this House with acclamation, as it assured that early steps would be taken to give effect to the scheme for the separation of judicial and executive functions. But, Sir, only recently the Government of India, in replying to a question of the Hon'ble Lala Sukhbir Sinha, said that they had received certain proposals from the Government of the United Provinces, but that they were not in their final form. I should like the Government to make it clear as to whether it is really the state of things and as to whether it is the Government of India which is really responsible for this delay.

It is hardly necessary for me to say that the present problem is such that if it is further delayed people will feel that Government is, as is usual, dilatory in its methods and its policy of delay is bound to create great dissatisfaction. That is why people say that reforms are granted only when the hands of Government are actually forced. It is generally the case that, by the time a certain reform is given effect to, people think that it is really not worth much. So if Government is really willing to accept the principle of the separation of the judicial and executive functions, and give effect to it, it should try its best to carry out the reform at the earliest possible date.

I see that there is an amendment to my resolution which is to be moved by my friend Rai Bahadur Lala Sita Ram. I have not the slightest hesitation in accepting the amendment because the wording used in the amendment expresses more clearly the object which I have in view than my own words.

With these words I move that this resolution be passed and I hope it will have the unanimous support of the House.

Rai Bahadur Lala Sita Ram : I rise to move my amendment under very happy auspices. I beg to move that for the words "that it may be pleased to give early effect to the scheme for the separation of judicial and executive functions as formulated by the committee appointed in 1921, making such modifications as are absolutely essential in the interests of economy" the words "to take immediate steps for the actual carrying out of the separation of judicial from executive functions

Rai Bahadur Lala Sita Ram.]

after obtaining the necessary sanction from the Government of India" be substituted. So that the resolution, if my amendment is acceptable to the House, would run—

"That this Council recommends to the Government to take immediate steps for the actual carrying out of the separation of judicial from executive functions after obtaining the necessary sanction from the Government of India."

The reform, as has been pointed out by the honourable mover, has really become hackneyed by its mere repetition. It appears now that it has also become a veritable shuttlecock between the two battledores, if I may say so, namely, the United Provinces Government and the Government of India. It was as early as 1922 that the Hon'ble the Home Member, after some hesitation, definitely told us that the scheme, which their own committee had submitted to Government, had been forwarded to the Government of India for necessary sanction. We are now speaking here in February, 1924, and we find that something has gone wrong either with the United Provinces Government or with the Government of India for no headway seems to have been made with the scheme at all. It was while speaking in connection with one of the budget measures last year that the Hon'ble the Finance Member told us that he hoped that he might be able to introduce this necessary reform during the budget year 1924—25, and that he would be able to provide for money out of the proceeds of the taxation, if the Council voted it. Accordingly, I asked a question on the 29th January, 1924, asking what orders the Local Government had received from the Government of India and what action the Government had taken with regard to the resolution, which the predecessor of this Council had adopted in 1923, and I was told that no orders have yet been received from the Government of India and that no action has yet been taken by the Government on it. For the edification of this House, most of which is newly-constituted, I might read the resolution which my friend Paudit Hirday Nath Kunzru moved on the 26th of October, 1923. It runs as follows:—

"That this Council recommends to the Government that it may be pleased to give early effect to the scheme for the separation of the judicial and executive functions as formulated by the Committee appointed in 1921, making such recommendations as would obviate, as far as possible, any increase of expenditure and modifying the scheme in the following manner—

- (1) to apply the principle of separation to the entire province;
- (2) to accept and give effect to the recommendations made by the minority as regards sections 107, 108, 109, and 110 of the Code of Criminal Procedure".

I was however rather astounded at the announcement made by the Hon'ble the Home Member that no action whatever had been taken by the Government with regard to this resolution passed by the Council in October, 1923. When the scheme as formulated by their own committee was before the Government of India, one would have expected that the Local Government would forward the resolution adopted by this House to the Government of India in order that they

may be in a position to arrive at a decision in the matter. What do we find instead? We find that the Local Government has not seen its way to forward the resolution to the Government of India, so that the recommendations which this Local Government may have made will remain unsatisfactory and disappointing, to use two historic words. The proceedings of the Council of State disclose that in reply to a supplementary question put by the Hon'ble Lala Sukhbir Sinha *re* the U.P. Scheme the Hon'ble Mr. Crerar on the 30th of January, 1924, said:—

"I invite the honourable member's attention to the terms of my reply. We have received certain proposals, but not yet in their final form. Their final form is being awaited." I hope the Hon'ble the Home Member, speaking on behalf of the Government, will kindly disclose at what stage the whole matter is, where actually the delay has occurred, whether the submission of despatches and counter-despatches will delay the reform indefinitely and whether there is any prospect of the reform being given effect to at an early date. It is in order to bring to the notice of the Government the almost unanimous position of this House that this measure has been long delayed and over-delayed and that it should be carried out at once, that I have brought forward this amendment.

Khan Bahadur Maulvi Fasih Ud-din: I rise to give my wholehearted support to the resolution of the honourable member from Allahabad. I think that at this stage a discussion of the utility of this subject has long passed and we are all agreed that India is now prepared to put this scheme into a practical shape. I admit that sometimes a magistrate is very unfavourably compared with his *confrère* in the Judicial department in the matter of dispensing even-handed justice, but we should bear in mind the fact that the magistrate is also responsible for keeping the peace of his sub-division, and as such he has also to look to the fact that he has to prevent the wicked element of society from committing depredations on the inoffensive and peaceful men. It is for this reason in my opinion, that the question of the separation of judicial and executive functions is, practically speaking, the question of the separation of the function of the administration of law and the function of the preservation of peace. As we know, the scope of one function is as distant from the scope of the other function as the North Pole is from the South Pole. It is, therefore, the crying need of the country; it is the crying need of the man who believes that the mainstay of the British Government in India is justice and justice alone; it is the crying need of the man who stands tied down with shackles before a magistrate to receive his trial. I think that the only objection which can be raised to putting the scheme into a practical shape is the question of funds, as the scheme naturally involves the appointment of an additional staff of deputy collectors, both on the magisterial and the revenue side. But so far as I am aware many members of this House even agree to an additional burden of taxation in order to give effect to the scheme. Besides, I submit that it is very easy to devise some means in order to minimize the cost. One of the means that I have thought about is that we should appoint more first class honorary magistrates and first class assistant collectors. A voice from the Swarajists "(Certainly never)." I know that there are some persons who say that

Khan Bahadur Maulvi Fasih Ud-din.]

such people are not easily available in the country, as I have just heard from a member on the opposite benches. But such people are available, only if they are sought after. I remember a story in one of the books which said that a certain king wanted to present a gift to a deserving man and his minister put him off by saying that the undeserving man knelt down in order to obtain that gift, but the deserving man did not approach him at all. I believe that there are people available in this country who consider it below their dignity, and against their sense of self-respect to go a begging for these posts, but they should be sought after. These posts should be conferred on the ground of merit and merit alone, and I think that if serious efforts are made we will be able to get hold of men of this kind, at least those who do not constitute the class which is nicknamed as that of "mulakateis." However, this is only one of the suggestions that I have made in order to lighten the burden of extra expenditure. But I again submit that the scheme is so important that it should be put into effect even with additional taxation.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I assure this House that the earnest desire of this Government is to introduce this long-delayed reform and the desire is quite clear from the statement made yesterday by the Hon'ble the Finance Member in allotting a large sum of money for it. The delay, I am sorry to say, is not caused by any lazy process of ours but is due to the attitude of the Government of India towards this scheme. It is a scheme of an all-India character. The Government of India have got to wait for the schemes from other provinces. Certain provinces have already submitted their schemes and some of them are still waiting for better financial conditions.

Rai Bahadur Lala Sita Ram : Is the Hon'ble the Home Member aware that Sir William Vincent clearly said in the Legislative Assembly that it was a matter for the province itself to decide?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The present Home Member for the sake of uniformity has been waiting for detailed schemes from other provinces. Under these circumstances, over which we have no control, we cannot do anything but assure the Council that as soon as we will get our scheme sanctioned by the Central Government, we shall take prompt steps to carry it out. The Government of India themselves are very anxious to introduce this reform as soon as possible, and I am authorized to say so.

Mr. Mukandi Lal : Does the Hon'ble the Home Member accept the resolution?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I have no objection to accept it, but I hope the resolution will be withdrawn because acceptance will make no difference under the circumstances.

Mr. Mukandi Lal : I give my whole-hearted support to the amendment which has been moved by Rai Bahadur Lal Sita Ram. I do so particularly because I distinctly remember that the committee that was appointed to investigate into the matter of separation of judicial and executive functions recommended that this reform should not be introduced into my unfortunate division, viz., the Kumaun division. Kumaun seems to be particularly a land beyond the pale of law; it is

still called a non-regulation division. I do not know for what reasons it is still called a non-regulation division and why such an important reform should not be introduced into our division also. Now I want to point out to this Council abuses which are due to the way in which justice and law are at present administered. Firstly, I would point out that, metaphorically speaking Justice has no eyes and no ears. It has no affections, no fears and no favours to give or to gain; but when justice is wedded to the executive, she is all of a sudden transformed into a charming lady. She begins to have eyes, ears, passions, and feelings. What happens? The ears of the Executive hear, the eyes of the Executive see, and the hands of the Executive take the trouble of catching the offender. Now, do you expect the Executive to be super-human? That the Executive may not believe its own ears, not trust its own eyes and not utilize the labour of its own hands? I would point out a singular instance that has just occurred about the middle of January at the Bageshwar fair, though we could not get a proper answer to the question which was put by Rai Bahadur Lala Sita Ram this morning. It was the Executive officer of Almora who passed orders under section 144, Criminal Procedure Code, and arrested the boys. He tried the seven boys and sentenced one of them, Victor Mohan Joshi, to three years' imprisonment, another to two years, similarly two more to two years each and two juvenile offenders to one year each. I do not know for what reasons and by whose sanction one of those two juveniles has been released. This combination of judicial and executive functions is coming down from the days of the East India Company, when a Supreme Court was established at Calcutta, and when John Bull saw that the Supreme Court was too independent, the revenue cases of the Company were withdrawn from the jurisdiction of the Supreme Court, i.e. the judiciary, by John Company. Then they passed orders that the natives should be tried according to their custom and law by the new courts of John Company. That is how the combination of the judicial and executive has come into vogue.

Now, let us see what is the opinion of various people on this matter. I may at the outset—say.

The Hon'ble the President: It is hardly necessary to enter into the actual merits of the point, because the question is, whether the recommendations of the committee should be carried out early or immediately.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: If the Council desires to press the point, I accept the resolution as amended by Rai Bahadur Lala Sita Ram.

The Hon'ble the President: The original resolution moved was—

“That this Council recommends to the Government that it may be pleased to give early effect to the scheme for the separation of judicial and executive functions as formulated by the committee appointed in 1921, making such modifications as are absolutely essential in the interests of economy.”

Since when an amendment has been moved that for the words “that it may be pleased to give early effect to the scheme for the separation of judicial and executive functions as formulated by the committee

The Hon'ble the President.]

appointed in 1921, making such modifications as are absolutely essential in the interests of economy" *substitute* the words "to take immediate steps for the actual carrying out of the separation of judicial from executive functions after obtaining the necessary sanction from the Government of India."

The question is that this amendment be made.

The Council agreed to the said amendment being made.

The Hon'ble the President: The question before the Council then is—

"That this Council recommends to the Government to take immediate steps for the actual carrying out of the separation of judicial from executive functions after obtaining the necessary sanction from the Government of India."

The resolution, as amended, was put and adopted.

RESOLUTION *re* THE FURTHER AMENDMENT OF THE
 OUDH RENT ACT, 1886.

Rai Bahadur Babu Shankar Dayal: I am asked by the representatives of the "Barons of Oudh" not to move my resolution to-day but to get it discussed outside the Council before it is introduced here. I am also anxious not to create unnecessary split between the landlords and tenants and therefore ask for leave to withdraw the resolution.

The resolution was, by leave of the Council, withdrawn.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Thursday, the 28th February, 1924.

The Council met in the Council Chamber, Lucknow, at 11 a.m. The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. A. C. H. Laurio.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad E'jaz Rasul Khan.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Thakur Moti Singh.
Rai Bahadur Lala Sita Ram.
Babu Bhagwati Sahai Bedar.
Rai Jagdish Prasad Sahib.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Bahadur Pandit Kharagjit Misra.
Raja Surya Pal Singh.
Babu Nemi Saran.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Thakur Har Prasad Singh.
Thakur Keshava Chandra Singh Chau-
dhri
Lieut. Raja Hukum Tej Pratap Singh.

Pandit Sri Krishna Dutt Paliwal.
Babu Parsiddh Narayan Anad.
Pandit Yajna Narayan Upadhya.
Pandit Raja Ramji.
Raja Sri Krishna Dutt Dube.
Babu Dip Narayan Roy.
Thakur Hanuman Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Babu Sita Ram.
Babu Bindeshwari Prasad.
Thakur Hukum Singh.
Kunwar Surendra Pratap Sahi.
Dr. Muhammad A'im Ansari.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Rao Abdul Hamid Khan.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Kunwar Inayat Ali Khan.
Khan Bahadur Chaudhri Amir Hasan
Khan.
Hafiz Hidayat Husain.
Mr. Masud-uz-Zaman.
Nawabzada Muhammad Yusuf.
Maulvi Abdul Hakim.
Dr. Shafa'at Ahmad Khan.
Sayyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Hakim Mahbub Ali Khan.
Mr. Ashiq Husain Mirza.
Khan Sahib Munshi Siddiq Ahmad.
Lieut. Shaikh Shahid Husain.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Shaikh Abdus Samad Ansari.
Mr. St. George H. S. Jackson
Lala Mathura Prasad Mobrotra.
Lieut. Shaikh Imtiaz Rasul Khan.
Thakur Jagannath Bakhsh Singh.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad.

MEMBER SWORN.

The following member made the oath or affirmation of allegiance to the Crown prescribed by rule 22 of the rules for the election and nomination of members to the Legislative Council of the United Provinces of Agra and Oudh.

MR. A. C. H. LAURIE.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

KOTDWAR-BHABAR KHAM GOVERNMENT ESTATE.

*1. **Mr. Mukandi Lal** : When was the Kotdwar-Bhabar Kham Government estate founded and what was its (1) area under cultivation and (2) revenue in the first year ?

*2. **Mr. Mukandi Lal** : What is its present revenue and area under cultivation ?

*3. **Mr. Mukandi Lal** : What amount is spent in the improvement of the estate and how much is spent on its management and administration ?

*4. **Mr. Mukandi Lal** : What is the status of the Government tenants on the said estate and what is the period of the lease or the tenancy ?

The Hon'ble Mr. S. P. O'Donnell : Inquiries are being made; replies will be given at a later date.

ELEPHANT IN KOTDWAR-BHABAR ESTATE.

*5. **Mr. Mukandi Lal** : Is any elephant kept by the Government on the said Kotdwar-Bhabar estate ? If there is one, what is (i) its price, and (ii) cost of its keeping for one year ?

*6. **Mr. Mukandi Lal** : What work is taken from the said elephant during winter, summer and rainy season ?

*7. **Mr. Mukandi Lal** : Is it a fact that the said elephant has recently been mauled by a tiger ? If that is so, under what circumstances was it attacked ?

*8. **Mr. Mukandi Lal** : Is it ever used for tiger shooting by any Government official ? If it is, who pays for the keeping and feeding of the elephant when it is in use of any official in big game shooting ?

*9. **Mr. Mukandi Lal** : Is any payment made to the Government by the official who thus utilizes the services of the said elephant ?

The Hon'ble Mr. S. P. O'Donnell : Inquiries are being made; replies will be given at a later date.

ABOLITION OF CERTAIN POSTS.

*10. **Mr. Mukandi Lal** : How many posts, carrying a salary (i) below Rs. 50 per mensem, and (2) above Rs. 1,000 per mensem have been abolished with a view to effect economy ; and what has been the saving as the result of abolition of posts or offices in the Government offices in the whole province ?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

KUMAUN FORESTS.

*11. **Mr. Mukandi Lal :** Will the Government be pleased to state into how many circles are the forests situate within the division of Kumaun divided and what are their names and what are the rights or privileges of user allowed to the people of Kumaun in the respective circles ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (i) Three.

(ii) Western, Eastern, Kumaun.

(iii) Rights and privileges vary from village to village and will be found in the various notifications published on the subject in the Gazette.

*12. **Mr. Mukandi Lal :** Into how many classes are the forests included in the Kumaun circle divided and what rights are given to the people in the respective classes ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The forests under the Forest department are all classed as reserves. Rights vary from village to village and will be found in the gazetted notifications.

*13. **Mr. Mukandi Lal :** Is it a fact that the people of Garhwal are required now to pay for the trees which they were until recently given free, on applying for the same, for building houses or cow-sheds, from forests of class B ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Information will be given at a later date.

*14. **Mr. Mukandi Lal :** How many persons have been fined or compelled to pay compensation for cutting trees for above-mentioned purposes from class B within the last six months ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Information will be given at a later date.

*15. **Mr. Mukandi Lal :** How many and which parts of the Kumaun circle have been included in the Western circle since 1910 ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Kota, Kupi, and Bandran Sendi-Jogta. Jahri Bountha and Jadila Pharsula.

*16. **Mr. Mukandi Lal :** Are the people allowed the same rights and privileges over such transferred parts as they would have if they were not so transferred ? If not, will the Government be pleased to do so ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The answer is in the affirmative.

*17. **Mr. Mukandi Lal :** What is the gross income to the Government annually from (1) the Kumaun circle, and (2) the Western circle ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Gross revenue 1922-23—

Kumaun circle				Rs.
Western circle	::	::	::	7,60,040
				30,03,289

*18. **Mr. Mukandi Lal :** What is the net income from the Kumaun circle and what portion of it is handed over to the district boards of (1) Garhwal, (2) Almora, and (3) Naini Tal annually ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Information will be given at a later date.

Mr. Mukandi Lal : My supplementary questions are of a technical nature and if the Hon'ble the Home Member has no objection and if you allow me, may I ask my supplementary questions from the Chief Conservator ?

The Hon'ble the President : I have no objection if the Hon'ble the Home Member so wishes.

Mr. Mukandi Lal : With reference to questions 11 and 12, is the Government aware that of late encroachments have been made on the rights of the people to graze a limited number of cattle and take a limited amount of fuel and grass from these forests ?

Mr. H. G. Billson : Numbers have, I think, been limited under the Forest Settlement, but cattle have never been counted from the very start.

Mr. Mukandi Lal : Do I gather that there is no limit on the number of cattle that the villagers may keep so far as they can graze them in the forests ?

Mr. H. G. Billson : I believe none. Even if there are any restrictions, they have never been enforced.

Mr. Mukandi Lal : How are the rights of the people decided ?

The Hon'ble the President : This is entirely outside the question. We are not here for cross-examination. Certain questions are asked and supplementary questions must be relevant thereto.

Mr. Mukandi Lal : The rights vary from village to village. With regard to this question I want to know what is the principle on which these rights are based ?

Mr. H. G. Billson : The principle followed by the Forest Settlement Officer is that every village which has been in the habit of using a forest for certain purposes is given rights therein up to its reasonable requirements.

Mr. Mukandi Lal : Are the people consulted as to their wants when these rights are allowed to them ?

The Hon'ble the President : This is entirely a matter for the Forest Settlement Officer. We are not discussing the policy of the settlement here.

Mr. Mukandi Lal : Is it possible to combine the Kumaun and the Western circle ?

Mr. H. G. Billson : The possibility has not yet been examined thoroughly by this department.

Rai Bahadur Lala Sita Ram : A point of order, Sir. May I know whether it is in order for the Chief Conservator of Forests to reply on behalf of the Government ?

The Hon'ble the President : The Hon'ble the Home Member has no objection to the reply being given. It is for convenience that the reply should be so given.

GARHWAL AND ALMORA TRANSPORT AGENCY.

*19. **Mr. Mukandi Lal :** Will the Government be pleased to state when was the Garhwal Government Transport Agency established and what is its function ?

*20. **Mr. Mukandi Lal :** Was there any non-official agency in Garhwal before the Garhwal Government Transport Agency was established and what relation does the present agency bear to it ?

*21. **Mr. Mukandi Lal :** What was the yearly contribution made by the public to run the former coolie agency if any was made at all ?

*22. **Mr. Mukandi Lal :** When the said coolie agency was wound up, what was the total amount of its assets, and how much of it was in (1) cash, (2) buildings, (3) mules, (4) utensils, and (5) advances made to the reserve coolies ?

*23. **Mr. Mukandi Lal :** What became of those assets ?

*24. **Mr. Mukandi Lal :** Does the present Garhwal Government Transport Agency supply coolies to both officials and non-officials ? If it does, will the Government be pleased to state what was the total wages of coolies supplied to non-officials and what was the total wages of those supplied to officials during the year 1923 ?

*25. **Mr. Mukandi Lal :** What were the daily wages of a coolie in the year when non-official coolie agency was first started and what are they now in the Garhwal Government Transport Agency ?

*26. **Mr. Mukandi Lal :** At what rate per maund or per load was the public charged for carrying one stage of ten miles when it was first established and what is the charge now made for the same ?

*27. **Mr. Mukandi Lal :** Does the Government make any contribution, if so, how much for the running of the new Garhwal Government Transport Agency ? Is this grant over and above the tentage allowed to touring officers for camp equipment ?

*28. **Mr. Mukandi Lal :** Is any payment made by or on behalf of the officials who use the services of the agency ; to the agency, if so, what were the total receipts from Government officials during the year 1923 ?

*29. **Mr. Mukandi Lal :** What was its income from non-officials ?

*30. **Mr. Mukandi Lal :** How much does the agency spend yearly on (1) wages of coolies, (2) price and cost of feeding and keeping the mules, (3) pay of the agents usually called agency palwaris, (4) pay of inspectors, (5) pay of clerks, (6) pay of the secretary, (7) pay of the assistant secretary, and (8) what is the total expenditure of the entire establishment ?

*31. **Mr. Mukandi Lal :** What is the expenditure of the similar transporting agency in Almora district ?

The Hon'ble Mr. S. P. O'Donnell : Answers will be given at a later date.

THE UNITED PROVINCES AERIAL ROPEWAY BILL.

*32. **Thakur Jagannath Bakhsh Singh :** (1) When did the report of the Select Committee on the United Provinces Aerial Ropeway Bill reach the Government ?

(2) When does the Government propose to present that report to the Legislative Council?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (1) The 27th December, 1921.

(2) The report was presented to the Legislative Council on the 24th January, 1922.

PUBLIC WORKS DEPARTMENT REORGANIZATION COMMITTEE REPORT.

*33. **Thakur Jagannath Bakhsh Singh :** (1) When did the report of the Public Works Department Reorganization Committee reach the Government?

(2) Has any action been taken on the report?

(3) If not, does the Government propose to take action in the future, if so, when and what action is proposed to be taken?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (1) The 24th August, 1922.

(2) and (3) The honourable member is referred to the answer given to starred question No. 52 asked by Rai Bahadur Lala Sita Ram this day.

Pandit Brijnandan Prasad Misra : Will the Hon'ble Minister kindly read the answer referred to?

The Hon'ble the President : It will be read when we come to it.

POLITICAL PRISONERS.

*34. **Babu Bhagwati Sahai Bedar :** Will the Government be pleased to lay on the table the following statement regarding prisoners serving sentences for political offences or detained in jails for political reasons, in the jails of these provinces?

Serial number.	Name of prisoner.	Residence.	Age.	Nature of offence.	Date of conviction.	Term of imprisonment.	Term served.	Labour given in jail.	Name of jail where kept.	General condition of health.	Weight on the date of conviction.	Weight at present.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : A reply will be given later.

RE-IMPRISONMENT OF CHANDRA DHAR JAUHARI AND SHEO CHARAN LAL OF MAINPURI.

*35. **Babu Bhagwati Sahai Bedar :** Is the Government aware that Messrs. Chandra Dhar Jauhari and Pandit Sheo Charan Lal of the Mainpuri Conspiracy case have been re-imprisoned after they had once been released in connection with the general clemency?

If so, what were the charges against them?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes. They were re-imprisoned under section 401(3), Criminal Procedure Code, because the conditions on which they were released were broken.

Babu Bhagwati Sahai Bedar : May I know what were the conditions ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : They promised to abstain from making seditious speeches and to refrain from anti-Government agitation.

Babu Bhagwati Sahai Bedar : Did they deliver seditious speeches ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : They were convicted for the first time for those actions and after getting the assurances from them they were released, and they repeated that crime and they were re-imprisoned.

Babu Nemi Saran : Was there a re-trial ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No.

CENTRAL WOOD-WORKING INSTITUTE, BAREILLY.

*36. **Mr. Ashiq Husain Mirza :** Will the Government be pleased to state if it is a fact that five wood-working machines were taken off their foundations and sent over to the Bobbin Factory, Clutterbuckganj, from the Central Wood-Working Institute, Bareilly, last year ?

*37. **Mr. Ashiq Husain Mirza :** If so, will the Government be pleased to give their actual purchase value and the total cost of their foundations and erection ?

*38. **Mr. Ashiq Husain Mirza :** Will the Government be pleased to state under whose orders this transfer was made and why ?

*39. **Mr. Ashiq Husain Mirza :** Will the Government be pleased to state when the Central Wood-Working Institute was transferred to the Industries department from the Utilization circle and when negotiations were started with the private company to take over the Bobbin Factory at Clutterbuckganj ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A reply will be given at a later date.

TIME-SCALE FOR MODEL SCHOOL TEACHERS.

*40. **Khan Bahadur Mr. Muhammad Ismail :** Will the Government be pleased to state what action has been taken in pursuance of the resolution adopted by the Council on the 30th January, 1923, regarding a time-scale for model school teachers ?

*41. **Khan Bahadur Mr. Muhammad Ismail :** Is it a fact that the teachers of the model schools attached to the normal schools have not been granted time-scale and grade pay as recommended by the above resolution ?

*42. **Khan Bahadur Mr. Muhammad Ismail :** Will the Government kindly state whether it is intended to give these teachers the benefit of the recommendation ?

*43. **Khan Bahadur Mr. Muhammad Ismail :** If so, from what date ?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the answer given to unstarred question No. 13 on the 28th January, 1924.

INSPECTRESS FOR FACTORY LABOUR.

*44. **Rai Bahadur Babu Vikramajit Singh:** (a) Is the Government aware that the Board of Industries twice recommended the appointment of a qualified female inspectress for factory labour in these provinces?

(b) Has any such appointment been made?

(c) If the answer to part (b) is in the negative, does the Government contemplate creating the post in the near future?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: (a) Yes.

(b) No.

(c) The question will be considered when financial conditions improve.

Rai Bahadur Babu Vikramajit Singh: When are the financial conditions likely to improve?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: We hope soon.

SUPERINTENDENT, BOVINE LYMPH DEPOT.

*45. **Rai Bahadur Lala Sita Ram:** (a) Is it a fact that the post of the Superintendent, Bovine Lymph Dépôt, is reserved for Europeans? If so, under what orders? Do these orders relate to pre-reform days or post-reform days?

(b) Will the Government be pleased to modify these orders and to take steps to train suitable Indians for the post?

(c) What salary does the post carry?

The Hon'ble Rai Rajeshwar Bali: (a) No.

(b) The first part of the question does not arise. The suggestion to train a suitable Indian for the post is under consideration.

(c) The present salary of the post is Rs. 200—10—250 per mensem.

RULES REGARDING COMMUTATION OF PENSIONS.

*46. **Rai Bahadur Lala Sita Ram:** (1) Will the Government be pleased to state in what respects (if any) rules with regard to the commutation of pensions differ in the case of Indians from that of Europeans in services?

(2) Will the Government be pleased to quote such rules with regard to both?

The Hon'ble Mr. S. P. O'Donnell: The rules relating to commutation of pensions drawn from Indian treasuries will be found in appendix 10 of the Civil Service Regulations. As regards commutation of pensions drawn from the Home Treasury, rule 1 of this appendix lays down that "other pensioners" (i.e., pensioners who do not draw their pensions from Indian treasuries) should forward their applications for commutation to the India Office, when their applications will be considered on their merits." Government are not, however, aware whether there are any definite rules at the India Office to regulate the commutation of pensions drawn from the Home Treasury or not, and are unable therefore to quote them. The table of values applied to the commutation of such pensions is in Government's possession; but nothing else.

The rules regulating the commutation of pensions drawn from Indian treasuries apply equally to Indians and Europeans. So far as Government are aware, the India Office also apply the same principle to both races: at all events the table of commuted values applies to both alike.

There is, however, a difference between the tables of commuted values which are used for pensioners drawing their pensions from Indian treasuries and the Home Treasury respectively. This difference, however, is due solely to the fact that the life tables applicable to Indian and English conditions are different.

AMENDMENT OF THE POLICE MANUAL.

***47. Rai Bahadur Lala Sita Ram :** Has the attention of Government been drawn to the observations of Mr. Justice Walsh and Mr. Justice Ryves in the course of their judgment *in re* Arjun Prasad versus King-Emperor that there are definite instructions in the Police Manual to prosecuting officers about calling only a certain number of witnesses or a certain proportion of witnesses available?

What action does the Government propose to take to amend the Police Manual in the light of the above?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : It is presumed that the orders referred to are those contained in paragraph 27 of the Police Regulations which are to the effect that the Prosecuting Inspector should consider whether all the witnesses named in the charge-sheet should be produced in support of the prosecution, and whether additional evidence is required. These orders are intended merely to restrict the production of an unnecessarily large number of witnesses and do not in any way imply that witnesses who can give evidence which will assist in establishing the facts of a case should be omitted.

No alteration in the order is required.

A copy of the rule in question is printed below.

Copy of the rule.

The Prosecuting Inspector's principal duty is to look after the prosecution of cases. In an important case he should read the police diaries as soon as he can get them to make himself acquainted with the facts before the first hearing, and should, if possible, consult the investigating officer before the case comes into court. He should consider whether all the witnesses named in the charge-sheet should be produced in support of the prosecution, and whether additional evidence is required.

Rai Bahadur Lala Sita Ram : Is Government aware that the Hon'ble Judges of the High Court criticized the practice referred to.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : We are not in a position to say so.

Rai Bahadur Lala Sita Ram : Will Government kindly inquire and get a copy of the judgment that has been referred to by me in this question?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honourable member has got a newspaper copy of it.

Rai Bahadur Lala Sita Ram : But I wish to know whether Government is aware that the Hon'ble Judges of the High Court have adversely criticized the instructions in the Police Manual.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The High Court had not got a copy of the rules before them.

Rai Bahadur Lala Sita Ram : Has Government perused the judgment of Messrs. Walsh and Ryves ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes.

Rai Bahadur Lala Sita Ram : Is it to be understood then that the Judges referred to a rule which was not before them ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : It was alleged by them that the rules were to such and such an effect.

MECHANICAL ENGINEERS.

*48. **Rai Bahadur Lala Sita Ram :** (1) Is it a fact that, consequent on the abolition of the Mechanical Engineers' examination, it has been notified that qualified Mechanical Engineers will not be required ? What exactly are these new orders ?

(2) Does the Hindu University train such engineers and will they be employed on the lower salary fixed now ?

The Hon'ble Lieut. Nawab Muhammad Ahmad, Sa'id Khan : (1) It is not understood to what Mechanical Engineers' examination the honourable member refers.

(2) The Benares Hindu University grants a Degree and a Diploma in Mechanical Engineering. The question of salary is one to be settled between the employer and the employee and does not concern the Local Government.

REMISSION OF COURT FEE STAMPS ON COPIES.

*49. **Rai Bahadur Lala Sita Ram :** (a) Will the Government be pleased to institute inquiries from some large districts as to the effect of their new orders withdrawing the old remission of court-fee stamps on copies furnished by civil or criminal courts or revenue courts or offices ?

(b) Is the Government aware that applicants for copies of *khewals* and depositions and those who have to assess court fees on the said papers are put to a lot of inconvenience by the new orders ?

(c) Is it a fact that as a result of these orders the number of copies issued has fallen considerably and that informal copies are being obtained by illegal means in larger numbers both in civil as well as in revenue courts ?

(d) If the answer to (c) be in the affirmative, will the Government be pleased to restore the old state of affairs ?

The Hon'ble Mr. S. P. O'Donnell : (a) Yes.

(b) and (c) Government have no information on the points raised at present, but will make inquiries about them also.

(d) Government will consider the matter after their inquiries are complete. This may be taken as an *ad interim* answer. A further reply will be given to the honourable member at a later date.

TRANSFER OF PUBLIC WORKS DEPARTMENT ROADS TO DISTRICT BOARD.

***50. Rai Bahadur Lala Sita Ram :** Is it a fact that local roads in the Meerut district have been transferred to the district board for maintenance in accordance with the recommendations of the Public Works Reorganization Committee?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

***51. Rai Bahadur Lala Sita Ram :** Will the Government be pleased to state why in other districts of the United Provinces similar action has not been taken? Is it true that in spite of the request of several district boards, these roads have not yet been transferred?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Similar action will be taken shortly in other districts. The orders of the Local Government on the report of the Public Works Department Reorganization Committee's report will, it is hoped, soon be given.

(b) Yes.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am giving Sir, some further information which could not be printed, to the honourable member for Meerut, viz.—

Bijnor.—Action has been taken; transferred from 1st March.

Garhwal.—Asked for Pauri-Semai road, and as the continuation of this went to Almora we have asked whether Almora will also take over its length—Semai Garhwal.

Meerut.—Orders given.

Naini Tal.—We cannot give orders in view of the recommendations of the Public Works Department Committee.

Saharanpur.—Still under consideration.

Pandit Govind Ballabh Pant : Has the Public Works Department Reorganization Committee made any distinction between Naini Tal and Garhwal and Almora?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Being a hilly country they think Government had better take charge themselves, and the other day, I may inform the honourable member that a member from Garhwal himself said that district board roads should be taken over by Government.

Pandit Govind Ballabh Pant : Has Government seen the resolution passed by the District Board of Naini Tal from time to time asking for the re-transfer of these roads to the control of the Board?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes. Government have seen the resolution, and have also ascertained the views of the representatives of Garhwal in this Council.

Pandit Govind Ballabh Pant : Government have seen the resolution in which a request has been made for the transfer of the roads . . .

The Hon'ble the President : The reply has already been given that the resolution has been seen by Government—there is no necessity therefore to repeat the question.

Pandit Govind Ballabh Pant : Government is not going to accept this request?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Not yet

Pandit Govind Ballabh Pant : Is the matter still being considered ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. Under the present circumstances it is not possible to accept the suggestion as our policy at present does not permit us to accept it.

PUBLIC WORKS DEPARTMENT REORGANIZATION COMMITTEE REPORT.

***52 Rai Bahadur Lala Sita Ram :** When are final orders likely to be passed on the Public Works Reorganization Committee's report ? If already passed, can Government make a brief statement as to the nature of these orders ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The matter is still under consideration. The Government will make a statement on the subject as soon as possible.

Rai Bahadur Lala Sita Ram : How long has this report been before the Government ?

The Hon'ble the President : That has already been stated, I think.

TECHNICAL SCHOOL, LUCKNOW.

***53. Rai Bahadur Lala Sita Ram :** Has any plot of land been acquired at Lucknow for the extension of the Technical School ? When, how much and at what cost ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : 16 acres, 2 roods and 10 poles of land were acquired in April 1920 at a cost of Rs. 1,26,652 for the purpose mentioned.

***54. Rai Bahadur Lala Sita Ram :** Is it a fact that houses situated over the said plot have been leased out to a private contractor ? If so, on what terms ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes ; the plot and houses situated on it have been leased to a private contractor, who pays a monthly rent of Rs. 50 for them, and is required to keep the houses in repair. The contractor has undertaken to hand the plot and buildings back at any time, upon receiving one month's notice.

Rai Bahadur Lala Sita Ram : Were any tenders called for this purpose ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of that. If the honourable member will give me notice I will be able to let him know.

Rai Bahadur Lala Sita Ram : Is the Hon'ble Minister in a position to say what the estimated cost of repairs is ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of it.

***55. Rai Bahadur Lala Sita Ram :** Who gets these houses repaired ? Has the contractor ever got them repaired since he got the contract ? If not, who is responsible for the deterioration of property ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is referred to the reply to the preceding question. Petty repairs to the houses have been effected.

***56. Rai Bahadur Lala Sita Ram :** Is this plot to be utilized in the near future for any Government purpose? If not, will the Government be pleased to dispose of the said plot?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It cannot be said definitely at present that the plot will not be required. Should Government not require it they will dispose of it.

ALAMBAGH TEMPLE, LUCKNOW.

***57. Rai Bahadur Lala Sita Ram :** Will the Government be pleased to state the definite terms on which the Alambagh, Lucknow, affair of temples has been settled?

The Hon'ble Mr. S. P. O'Donnell : The honourable member is referred to the *communiqué* issued by the Agent of the Railway, which states the terms correctly.

Rai Bahadur Lala Sita Ram : Is Government aware that the Hindu Sabha want Rs. 5,000 for the restoration of the temples and their consecration?

The Hon'ble Mr. S. P. O'Donnell : I understand that is the sum asked for. In fact we have advised the railway company to pay that amount and I understand they are prepared to do so.

Rai Bahadur Lala Sita Ram : Is Government aware that there are other matters—the allocation of certain sites, etc., yet pending? Will Government advise the railway company on these also?

The Hon'ble Mr. S. P. O'Donnell : Yes. The Commissioner is discussing these with members of the Hindu Sabha, and I understand the discussion is progressing favourably.

Rai Bahadur Lala Sita Ram : Is it to be understood that the Rs. 5,000 will be paid almost at once?

The Hon'ble Mr. S. P. O'Donnell : I do not think there will be any objection to its being paid over at an early date.

Pandit Nanak Chand : Will the honourable member ask the Commissioner to expedite the settlement of these other matters also?

The Hon'ble Mr. S. P. O'Donnell : Yes. The Commissioner has already been asked to do so.

GOVERNMENT HIGH SCHOOL BUILDING, BANDA.

***58. Thakur Keshava Chandra Singh Chaudhri :** Is it a fact that the Local Government in the year 1913 sanctioned the transfer of the old Government High School building at Banda to the district board, Banda, for the use of the town school when no longer required for the use of the Government High School?

The Hon'ble Rai Rajeshwar Bali : The building was ordered to be transferred when no longer required by the Educational department and not as stated in the question.

***59. Thakur Keshava Chandra Singh Chaudhri :** Is it a fact that the Government High School was removed to the new building in the beginning of July 1923 and the old school building has been lying idle since that time?

The Hon'ble Rai Rajeshwar Bali : The building was temporarily occupied by the town school, Banda, when there was plague in the

town. Apart from this temporary occupation it has been empty pending the decision of Government in regard to the rival claims for it.

***60. Thakur Keshava Chandra Singh Chaudhri :** Will the Government be pleased to say why the old school building has not yet been transferred to the district board ?

The Hon'ble Rai Rajeshwar Bali : The question of the transfer of the building is still under consideration.

***61. Thakur Keshava Chandra Singh Chaudhri :** What was the total number of boys receiving instruction in the town school building in the year 1913 and what is the number receiving instruction now ?

The Hon'ble Rai Rajeshwar Bali : Inquiries are being made and a reply will be given at a later date.

***62. Thakur Keshava Chandra Singh Chaudhri :** Is it a fact that the Collector of Banda and the Director of Public Instruction have now recommended the transfer of the old high school building to the "Arya Kanya Pathshala Executive Committee" and has the "Arya Kanya Pathshala Committee" also applied for the same ?

The Hon'ble Rai Rajeshwar Bali : An application from the Kanya Pathshala asking for the building in question has been received by the Director of Public Instruction, United Provinces, and is under consideration. Government do not think that any public purpose will be served by disclosing at this stage what proposals have been made to Government and by what officers.

***63. Thakur Keshava Chandra Singh Chaudhri :** If the answer to the above question be in the affirmative, will the Government be pleased to give the following information about the Arya Kanya Pathshala :—

(a) The total annual income of the Pathshala in the year 1923 excluding the grants-in-aid of the local boards ?

(b) The total unspent fund of the Pathshala (permanent or otherwise) in possession of the committee at the end of the year 1923.

(c) Number of girls receiving instruction in the different classes of the Pathshala in July 1923 ?

(d) Whether the Arya Kanya Pathshala Committee is registered or an unregistered body ?

The Hon'ble Rai Rajeshwar Bali : Does not arise.

***64. Thakur Keshava Chandra Singh Chaudhri :** What is the valuation of the old Government High School building at present ?

The Hon'ble Rai Rajeshwar Bali : The information is not available.

***65. Thakur Keshava Chandra Singh Chaudhri :** Was the recommendation of the officials named in question No. 62 made after the new district board under a non-official chairman came into existence or before it ?

The Hon'ble Rai Rajeshwar Bali : Does not arise.

Thakur Keshava Chandra Singh Chaudhri : May I know whether this building is required by the Education department ?

The Hon'ble Rai Rajeshwar Bali : It may be required.

Thakur Keshava Chandra Singh Chaudhri : May I take it then that Government is not sure ?

The Hon'ble Rai Rajeshwar Bali : No. We are considering the question.

Thakur Keshava Chandra Singh Chaudhri : As regards answer to question No. 63 I rise to a point of order. I beg to submit that the question does arise. I asked for the information in question No. 63 that if the answer is in affirmative to No. 62 whether the Arya Kanya Pathshala applied for the building and the Minister replied in the affirmative. Then as to the point whether certain Government officials recommended the same the Hon'ble Minister says that no useful purpose will be served. Under these circumstances I beg to submit that the question No. 63 does arise.

The Hon'ble Rai Rajeshwar Bali : If the information is wanted it can be supplied at a later date after we have made inquiries and collected the information.

Thakur Keshava Chandra Singh Chaudhri : As regards answer to question No. 64 may I take it that Government has not valued the building which it is proposing to transfer to some other body ?

The Hon'ble Rai Rajeshwar Bali : There is no valuation at present.

Thakur Keshava Chandra Singh Chaudhri : Does Government propose to value it now since it has decided to transfer it ?

The Hon'ble Rai Rajeshwar Bali : No useful purpose will be served.

PRESENTATION OF ADDRESSES BY LOCAL BOARDS.

*66. **Thakur Keshava Chandra Singh Chaudhri :** Will the Government be pleased to inform the Council as to the number of local boards which have expressed their disapproval of the order of the Government, dated the 21st May, 1923, prohibiting the local boards from spending anything out of their funds in presenting addresses to persons other than their Excellencies the Viceroy and the Governor, the number of boards which have expressed their approval of the order and the number of boards which have expressed no opinion of their own.

*67. **Thakur Keshava Chandra Singh Chaudhri :** Will the Government be pleased to cancel that order.

*68. **Thakur Keshava Chandra Singh Chaudhri :** If the answer to the preceding question be in the negative, will the Government be pleased to state what action it proposes to take against the boards which have disobeyed that order ?

The Hon'ble Rai Rajeshwar Bali : A reply will be given at a later date.

RULES *re* WASIKAS.

*69. **Thakur Jagannath Bakhsh Singh :** Are there any definite rules guiding the Wasika Office in matters of the devolution of *amanat*, *zamanat* and loans, *wasika* in cases of Hindu or Muhammadan recipients ?

(a) If so, where are these rules to be found ?

(b) If not, will the Government be pleased to frame such rules ?

*70. **Thakur Jagannath Bakhsh Singh :** Is the Government aware that in some cases the Wasika Office has recognized adoption in cases of succession, while in others it has not ?

If so, what is the reason for not recognizing adoption as valid ground for succession?

***71. Thakur Jagannath Bakhsh Singh:** With reference to the answer to Rai Bahadur Babu Shankar Dayal's starred question No. 2, dated the 3rd February, 1923, is the Government aware that succession cases are decided by the Wasika Office on the strength of that Manual?

With reference to the same answer will the Government be pleased to bring the Wasika Manual into proper form and give the stamp of authority to it?

***72. Thakur Jagannath Bakhsh Singh:** What rules of procedure are followed in deciding *wasika* cases?

***73. Thakur Jagannath Bakhsh Singh:** What was the total amount of monthly *wasikas* after the annexation of Oudh? And what is the monthly amount now?

***74. Thakur Jagannath Bakhsh Singh:** How much of the difference is due to forfeiture of *wasikas*?

***75. Thakur Jagannath Bakhsh Singh:** Where is this saving accounted?

***76. Thakur Jagannath Bakhsh Singh:** For what purpose does the Government deduct 8 annas per cent. per month from all *wasika* allowances?

And under what authority is this deduction made?

***77. Thakur Jagannath Bakhsh Singh:** Is it a fact that under the treaties the Government is bound to pay *wasikas* without any deductions?

***78. Thakur Jagannath Bakhsh Singh:** How does the Government recognize the transfer of a *wasika*—

(a) By will? or

(b) *Intervivos*?

(c) If the answer to (b) be in the negative, under what authority does the Government purchase *wasikas* not exceeding Rs. 5 per month?

***79. Thakur Jagannath Bakhsh Singh:** Will the Government be pleased to state how many applications for certificates under section 6, Act XXIII of 1871, were made in respect of *wasikas* during the last three years?

And how many certificates were granted?

The Hon'ble Mr. S. P. O'Donnell: An answer will be given at a later date.

RAJPUTS IN JUDICIAL SERVICE.

***80. Thakur Jagannath Bakhsh Singh:** What is the total number of recruitments made in the Provincial Judicial Service after 31st March, 1921, till now?

(a) How many are Rajputs amongst them?

(b) How many Rajput candidates were there during that period?

The Hon'ble Mr. S. P. O'Donnell: I see that the printed answer omits the first part of the question. I will send the honourable member the information later. The answer to the second part is (a) 5, (b) 13.

Thakur Jagannath Bakhsh Singh : Am I correct in understanding from the reply given to Rai Bahadur Thakur Mashal Singh that only one man was taken in the Judicial Commissioner's Court during the period to which I refer ?

The Hon'ble Mr. S. P. O'Donnell : I do not know if any Rajput was taken. I understand last year only one Rajput applied and the committee did not accept him.

Thakur Jagannath Bakhsh Singh : Since my resolution till now only one man was taken in Oudh from the reply given to Rai Bahadur Thakur Mashal Singh ?

The Hon'ble Mr. S. P. O'Donnell : I have not got the reply here : the honourable member's statement may be correct. I can, however, ascertain and let him know.

Thakur Jagannath Bakhsh Singh : Will the Government draw the attention of the Judicial Commissioner to this matter in view of the resolution.

The Hon'ble the President : I have not been able to get the question. The question before me is about the total of recruitment for the Judicial Commissioner's Court. To that no reply has been made.

Thakur Jagannath Bakhsh Singh : Out of these five candidates, Sir, only one was taken in Oudh and four in Agra.

The Hon'ble the President : That has nothing to do with the question. If the honourable member wishes to get any such information he can ask for it in another question. This is not a supplementary question.

Thakur Jagannath Bakhsh Singh : But a reply was given to it in answer to Thakur Mashal Singh's question.

The Hon'ble the President : Then why repeat the question ? If a reply has already been given I do not understand the necessity of repeating the question.

*81. **Thakur Jagannath Bakhsh Singh :** (a) How many Rajput candidates are there for the said service at present, both in the High Court at Allahabad and in the Judicial Commissioner's Court in Lucknow ?

(b) Is the Government in a position to state as to whether the present Rajput candidates will be appointed as vacancies arise in the said service ?

The Hon'ble Mr. S. P. O'Donnell : Four, all of whom are on the selection list and will be appointed as vacancies arise. In the answer to question No. 14 for the 27th February, the number selected for appointment in Agra should have been given as "four" instead of "two."

Thakur Jagannath Bakhsh Singh : How many out of these are in Oudh ?

The Hon'ble Mr. S. P. O'Donnell : None, I believe.

IMPROVEMENT TRUSTS.

*82. **Babu Narayan Prasad Arora :** (a) Will the Government be pleased to state the total income and expenditure of the three existing Improvement Trusts in these provinces, for the last ten months ?

(b) Will the Government be pleased to state the percentage of the cost of General Administration on the value of the work done during the said period in the existing Improvement Trusts?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

*83. **Babu Narayan Prasad Arora :** Does the Government contemplate the making of the post of Chairman of these Trusts honorary?

The Hon'ble Rai Rajeshwar Bali : This with other questions affecting the future of the Trusts is now being examined by the Government.

Babu Narayan Prasad Arora : How long will it take?

The Hon'ble Rai Rajeshwar Bali : I cannot say at present.

*84. **Babu Narayan Prasad Arora :** What is the respective amount of loans advanced by the Government up to date to the Various Improvement Trusts?

The Hon'ble Rai Rajeshwar Bali : The amounts of loan advanced by Government to the Improvement Trusts are—

	Rs.
(1) Lucknow Improvement Trust	8,50,000
(2) Cawnpore „ „	32,00,000
(3) Allahabad „ „	4,19,000

Babu Narayan Prasad Arora : Is there any hope of these being recovered?

The Hon'ble the President : That is a matter of opinion.

CAWNPORE IMPROVEMENT TRUST.

*85. **Babu Narayan Prasad Arora :** (a) What is the total value of the immovable property purchased and sold by the Cawnpore Improvement Trust since its existence?

(b) Is the Government aware that no register of immovable property acquired and disposed of was kept by the Improvement Trust, as is kept by other local bodies?

(c) Is the Government aware that there is no schedule of sanctioned rates for the various kinds of works carried out by the Cawnpore Improvement Trust?

(d) Is the Government aware that the Examiner, Local Fund Accounts, in his last audit and inspection note, on the accounts of the Improvement Trust, Cawnpore, has remarked that the accounts on the whole are not in a satisfactory condition, and that the finances of the Trust call for special attention? Is the Government going to pay any special attention to it?

*86. **Babu Narayan Prasad Arora :** Will the Government be pleased to state—(a) the cost incurred by the Cawnpore Improvement Trust in making the Trust office and the bungalows of the Trust officers;

(b) the amount spent in getting the design of the Trust office prepared ;

(c) the percentage of the rent that is being realized from the Trust bungalows on the capital cost of the buildings.

***87. Babu Narayan Prasad Arora :** (a) Will the Government be pleased to state how many bungalows of the Cawnpore Trust are occupied by its officers ?

(b) Is it a fact that the Trust office and bungalows built for Trust officers are all for sale ?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

***88. Babu Narayan Prasad Arora :** Will the Government be pleased to lay on the table a copy of the report of Mr. Grant, who was specially deputed by the Government to investigate the financial position of all the existing Trusts ?

The Hon'ble Rai Rajeshwar Bali : A copy of the report is laid on the honourable member's table.

POLITICAL PRISONERS.

***89. Babu Narayan Prasad Arora :** Will the Government be pleased to state how many political prisoners are still in the jails of the United Provinces and what are their terms of imprisonment, and on what dates they were sentenced ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honourable member is referred to the answer given on February 26th to unstarred question No. 6 postponed from the 31st of January. Information respecting dates of conviction is not at present available.

Babu Narayan Prasad Arora : When will it be available ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : After some time.

RE-IMPRISONMENT OF CHANDRA DHAR JAUHARI.

***90. Babu Narayan Prasad Arora :** Will the Government be pleased to state why was Mr. Chandra Dhar Jauhari again imprisoned after his release in connection with the Royal Proclamation of December 1919 ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honourable member is referred to the answer given to starred question No. 35 of today.

BENGAL REGULATION, III OF 1818.

***91. Babu Narayan Prasad Arora :** Will the Government be pleased to say whether it is a fact that the Government is contemplating to bring into force in these provinces Bengal Regulation III of 1818 ?

The Hon'ble Mr. S. P. O'Donnell : This regulation can only be applied by the Governor General in Council. There is no proposal for its application at present before the Governor in Council.

POLITICAL PRISONERS.

***92. Babu Narayan Prasad Arora:** Will the Government be pleased to say what sort of prisoners are called "political prisoners"?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The Government have not committed themselves to a rigid definition of this term and do not propose to do so.

***93. Babu Narayan Prasad Arora:** Will the Government be pleased to say whether the persons convicted for offences with a political motive are included in the term "political prisoners"? If not, why not?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The Government have not committed themselves to a rigid definition of this term and do not propose to do so.

Mr. Mukandi Lal: I presume that a person who is not a political prisoner can be converted into a political prisoner after consideration later on?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: They may be classed as special detenues but cannot be put into the class of political prisoners.

Babu Nemi Saran: From the answers given it seems that some prisoners are ordinary political prisoners and others special class. May I know then what is the regulation Government applies to class them as ordinary or special?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Government does not change the class of prisoners, but places them in a class on the recommendation of the Magistrate. If this officer says they are to be classed as political they are classed as such, and when recommended as ordinary prisoners they are not treated as political.

Mr. Mukandi Lal: It appears then

The Hon'ble the President: The honourable member must ask a question, not make a statement. This is not the time for supplementary statements but for supplementary questions.

Babu Nemi Saran: Is it left to the discretion of the Magistrates as to who is to be a political prisoner and who is not?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No. It is at the discretion of the Government after receiving the recommendations of the Collector.

Babu Nemi Saran: Has the Government issued any orders to District Magistrates or to the Magistrates trying such offences telling them what are the principles which should guide them in recommending to the Government what prisoners should be classed as political and what not?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: It is the look out of the Government themselves to have some prisoners to be classed in the special division.

Pandit Brijnandan Prasad Misra: Does the Government decide its classification without any recommendation from the District Magistrate?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: We do consider the recommendations of the District Magistrate.

Pandit Brijnandan Prasad Misra: What are the lines on which the recommendations are made?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Each case is considered on its merits.

Pandit Brijnandan Prasad Misra: Is it on the merits of the case that the classification is made or on the status of the prisoner who has been convicted?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The status also is always considered.

Mr. Mukandi Lal: Has political opinion anything to do with the classification or the recommendation?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I do not think political opinion can play any part in it.

Pandit Govind Ballabh Pant: May I know whether the persons convicted for offences under section 144, Criminal Procedure Code at Bageshwar are being treated as political prisoners?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I ask for further notice.

CAWNPORE WATERWORKS EXTENSION.

***94. Rai Bahadur Babu Vikramajit Singh:** Does the Government contemplate the taking up of the Cawnpore water-works extension scheme in the next financial year?

The Hon'ble Rai Rajeshwar Bali: The Government are most anxious that the work should be taken in hand at an early date, but the matter rests with the municipal board and not with the Government.

Rai Bahadur Babu Vikramajit Singh: Will the Hon'ble Minister be pleased to state if the Government has received any definite scheme or proposal from the municipal board of Cawnpore for water-works extension?

The Hon'ble Rai Rajeshwar Bali: We received a scheme which is now being examined by the municipal board in a modified form.

Rai Bahadur Babu Vikramajit Singh: Has the Government given any sanction to this scheme?

The Hon'ble Rai Rajeshwar Bali: It is being examined by the municipal board in a modified form.

FREE COMPULSORY PRIMARY EDUCATION.

***95. Lala Mathura Prasad Mehrotra:** (1) Will the Government be pleased to state the names of the municipalities which have introduced free and compulsory primary education after the passage of the United Provinces Primary Education Act?

(2) What aid has the Government granted to them?

The Hon'ble Rai Rajeshwar Bali: (1) Under United Provinces Primary Education Act, 1919, free and compulsory primary education for boys has been introduced in the following municipalities:—

<i>Municipality.</i>	<i>Date of introduction of the scheme.</i>
1. Cawnpore (Moulganj and Patkapur wards)	5th October, 1922.
2. Moradabad (excluding Civil Lines)	... 1st January, 1923.
3. Bareilly	... Ditto.
4. Balrampur (Purania Tal ward)	... Ditto.
5. Bulandshahr	... Ditto.

<i>Municipality.</i>	<i>Date of introduction of the scheme.</i>
6. Lakhimpur ... ..	... 1st January 1923.
7. Ghazipur ... ..	... Ditto.
8. Kashipur ... ..	... Ditto.
9. Brindaban ... ..	... 7th May, 1923.
10. Konch... ..	... Ditto.
11. Lucknow (Wazirganj ward) ...	... 1st July, 1923.
12. Roorkee ... ..	... 1st September, 1923.

(2) The grants sanctioned for these boards in 1922-23 and 1923-24 (up to date) towards the introduction of compulsory primary education for boys were—

	1922-23		1923-24.	
	Recurring.	Non-recurring.	Recurring.	Non-recurring.
	Rs.	Rs.	Rs.	Rs.
1. Cawnpore	5,248	1,317	10,072	..
2. Moradabad	2,553	18,799	16,835	..
3. Bareilly	2,695	24,635	17,588	..
4. Balrampur	287	300	1,534	..
5. Bulandshahr	627	5,897	3,321	..
6. Lakhimpur	167	4,000	1,066	..
7. Ghazipur	562	10,035	3,520	..
8. Kashipur	258	9,565	1,453	..
9. Brindaban .. ..	..	..	1,720	5,869
10. Konch .. ..	..	..	3,573	885
11. Lucknow .. ..	..	..	4,478	1,395
12. Roorkee .. ..	..	..	968	5,143
Total	12,397	74,548	66,129	13,292
	86,945		79,421	

Hafiz Hidayat Husain: Is there any reason why this Act has not been applied to the other wards of the Cawnpore municipality?

The Hon'ble Rai Rajeshwar Bali: Perhaps they may not have applied for it.

NEW COUNCIL CHAMBER.

*96. **Lala Mathura Prasad Mehrotra:** (1) How long will it take for the completion of the new Council Chamber?

(2) How much has been spent on it up to the 31st January, 1924?

(3) What amount has been paid by the Government?

(4) Is it a fact that the Government has promised to pay interest on the rest?

(5) If so, what is the rate of interest?

The Hon'ble Mr. S. P. O'Donnell: (1) The new Council Chamber is expected to be completed by the 25th August, 1927,

(2) Rupees 5,10,192.

(3) The whole.

(4) The Government have agreed to pay interest on a sum, not exceeding two lakhs, which may be spent by the contractors over and above the provision of two lakhs in the budget for the current year.

(5) Six per cent. per annum from the date the bills, which cannot be paid at once, fall due.

SCALE OF DIET ALLOWED TO WITNESSES IN CRIMINAL CASES.

*97. **Lala Mathura Prasad Mehrotra:** With reference to the question No. 269, dated the 21st of February, 1921, regarding the revision of the scale of diet allowed to witnesses summoned at the instance of the police in criminal cases, has the Government considered the matter and come to a conclusion?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The honourable member is referred to the answer given to starred question No. 34 of the 26th October, 1923. Funds are not at present available to meet the extra expenditure involved.

Lala Mathura Prasad Mehrotra: How long will it take for the Government to consider this?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I am not sure, but no undue delay will be made.

Unstarred question.

KUMAUN FORESTS.

1. **Mr. Ashiq Husain Mirza:** Will the Government be pleased to state—

- (1) what was the average net yearly income for five years of Kumaun when these forests were managed and worked by the district civil authorities;
- (2) what was the net average yearly expenditure on these forests in those days;
- (3) when were these forests transferred to the Forest department and what was the reason for transferring them? What was the net income estimated by the Forest department on this transfer being made;
- (4) what is the net average yearly expenditure on these forests since the transfer;
- (5) is it a fact that two Forest officers used to manage the whole of Kumaun forests at a profit when they were under the district civil authorities; and that one Conservator and six Deputy Conservators of Forests manage the same area now, and even then work is at a loss;
- (6) what is the net average loss in working these forests since the transfer was made?
- (7) after the experience gained in transferring these forests from one management to another, is it still proposed by the Government to continue managing the Kumaun forests by the Forest department

- (8) was a committee formed to report on Kumaun forests a year or so ago? If so, will the Government be pleased to lay its report on the table?

Mr. C. E. D. Peters: (1) Average net income (1907-8 to 1911-12) was Rs. 93,675.

(2) Average expenditure, Rs. 1,13,122.

(3) 2nd of September, 1912.

With reference to the second part the honourable member is referred to the speech of Sir John Hewett at Haldwani on 17th April, 1912. The hope was expressed that when the settlement had been completed and the management of the forest brought into working order, there would be an excess of income over expenditure which would eventually amount to nearly 2½ lakhs.

(4) 13.69 lakhs, including capital expenditure.

(5) The staff, previous to 1912, employed in the management of forests now in the Kumaun circle consisted usually of one Deputy Conservator, and three Extra Assistant Conservators. The present staff employed in the Kumaun circle is one Conservator, two Deputy Conservators, and three Extra Assistant Conservators.

(6) For 12 years ending March, 1923, Rs. 1,56,585.

(7) The honourable member is referred to resolution No. 611/XII—109, dated the 12th June, 1922, published in the *United Provinces Gazette* of the 1st July, 1922.

(8) It is presumed that reference is made to the committee whose report was published in notification no. 1121/XIV—109, dated the 6th November, 1922, in the *United Provinces Gazette*, dated the 11th November, 1922, to which the honourable member is referred.

ALMORA AND GARHWAL TRANSPORT AGENCY.

2. **Mr. Mukandi Lal:** Has the Almora agency a separate establishment or is it run by the Government officials of the district?

3. **Mr. Mukandi Lal:** Over how many miles does the Garhwal Government Transport Agency and the Almora Agency extend respectively, and what is the total mileage of public road in Almora and Garhwal districts?

4. **Mr. Mukandi Lal:** Is the office of the secretary in Almora paid or honorary; if it is paid what is his pay?

5. **Mr. Mukandi Lal:** Was the secretary of the defunct non-official agency in Garhwal paid or did he act as honorary secretary; and how long did he act as such?

6. **Mr. Mukandi Lal:** What was the pay of the present secretary of the Garhwal Government Transport Agency before he was employed as agency secretary, and what is the difference between his present salary and the salary he drew in his earlier post?

7. **Mr. Mukandi Lal:** Is there any assistant secretary also, if there is, what relation does he bear to the secretary and what are his educational qualifications?

Mr. G. B. Lambert: An answer will be given at a later date.

INDUSTRIAL SCHOOLS.

8. **Mr. Ashiq Husain Mirza** : Will the Government be pleased to give a detailed list of schools and institutions under the department of Industries showing—

- (a) name of schools or institutions and where situated ;
- (b) number of scholars in each, average of last 12 months ;
- (c) gross yearly expenditure on each for last 12 months ;
- (d) date when each of the above was started ;

Kunwar Jagdish Prasad : A reply will be given at a later date.

PROVINCIAL ENGINEERING SERVICE.

9. **Mr. Ashiq Husain Mirza** : Is it a fact that promotion of the Upper and Lower Subordinates of the Public Works department to the Provincial Engineering Service has been stopped? If so, from what date and why? Are no exceptions to the rule to be made in the future?

10. **Mr. Ashiq Husain Mirza** : Is it a fact that some subordinates so promoted in the past have proved unsatisfactory? If so, why are such men not reverted, and promotion to the Provincial Engineering Service granted to deserving persons who have proved their merit?

11. **Mr. Ashiq Husain Mirza** : Will the Government be pleased to state how many Muhammadans and non-Muhammadans have been promoted respectively in the past from the Upper and Lower Subordinate grades to the Provincial Engineering Service?

Mr. A. C. Verrières : Replies will be given at a subsequent meeting.

GUJAR COMMUNITY.

12. **Chaudhri Balwant Singh** : Is the Government aware that the Gujar community, which forms an important section of zamindar and military classes of Meerut and Agra divisions, is the most backward in education of all the other sister communities of Jats, Ahirs, and Rajputs?

Kunwar Jagdish Prasad : Government are aware that the Gujar community is one of the communities which are backward in education. Government have already taken such steps as are feasible for encouraging education in this community and would be prepared to consider any further suggestions which the honourable member may desire to make.

13. **Chaudhri Balwant Singh** : Is the Government aware that with the exceptions of two sub-inspectors of police, one qanungo, and one sub-registrar, the number of the Gujar in Government services is almost nil?

Mr. G. B. Lambert : The Government have no certain information and cannot obtain it without disproportionate labour. The position in the various civil services may be taken to be approximately that stated by the honourable member.

14. **Chaudhri Balwant Singh** : (a) Is the Government aware that a memorial, signed by over 100 notable Gujar of these provinces and setting forth the demands of the Gujar community and also recommending one Babu Hem Raj Singh, B.A. (now M.A.), for the appointment to some gazetted rank, was submitted to the Government in January, 1922?

(b) That later on, a deputation, consisting of the prominent Gujars waited upon His Excellency Sir Harcourt Butler at Meerut and laid the whole case before His Excellency on the 10th March, 1922 ?

(c) That His Excellency later on made inquiries about the Gujar Sabha and Babu Hem Raj Singh through some of the Collectors of the Meerut division ; but, later on, it was learnt that the attempts of the Gujar community proved abortive ? Will the Government be pleased to state the reasons why the humble request of the Gujar community was not granted ?

(d) Will the Government even now be pleased to grant the humble prayer of the Gujar community ?

Mr. G. B. Lambert : (a) Yes.

(b) Yes.

(c) The Governor in Council after consideration was not prepared to offer this gentleman a direct appointment.

(d) The answer is in the negative.

STORES PURCHASE DEPARTMENT.

15. **Mr. Ashiq Husain Mirza :** Will the Government be pleased to give the following information regarding arrangements made by the Stores Purchase department during the last 12 months for the supply of goods and articles to Government departments :—

(a) nature or name of goods and articles ;

(b) price settled ;

(c) conditions of supply ;

(d) date when arrangements were made ;

(e) date when arrangements expire ?

(f) names of rejected tenderers with their quotations ?

(g) approximate yearly demand in value, number or weight, by Government departments ?

Kunwar Jagdish Prasad : Collection of all the information asked for would involve very considerable labour. Government would ask the honourable member not to press his request ; they will be prepared to supply information about any particular class of goods if he so desires.

MAYNE MEMORIAL CITY SCHOOL AND GOVERNMENT HIGH SCHOOL, BANDA.

16. **Thakur Keshava Chandra Singh Chaudhri :** Is it a fact that the Mayne Memorial City School, Banda, receives a grant of Rs. 200 per mensem from the Government for imparting education from the 3rd to the 8th standard ?

Kunwar Jagdish Prasad : No. The school receives a grant of Rs. 200 per mensem for classes A to VIII.

17. **Thakur Keshava Chandra Singh Chaudhri :** What is the present number of enrolment of students in classes 3rd to 8th and what has been the average attendance of students in the year 1923 in the above classes ?

18. **Thakur Keshava Chandra Singh Chaudhri :** What is the number of students receiving education in classes 3rd to 8th in the Government High School, Banda, at present ?

19. **Thakur Keshava Chandra Singh Chaudhri** : What is the maximum number of students which could be admitted in the different sections of classes 3rd to 8th of the Government High School at present ?

20. **Thakur Keshava Chandra Singh Chaudhri** : Is it a fact that students from the Mayne Memorial City School holding a pass diploma of a certain standard are not generally admitted to the next higher standard in the Government High School, Banda ?

21. **Thakur Keshava Chandra Singh Chaudhri** : If the answer to the preceding question be in the negative, will the Government be pleased to state how many students of the Mayne Memorial School holding a pass diploma were admitted in the Government High School in the years 1922 and 1923 ?

How many of them were admitted to the next higher standard, how many to the same, and how many to the next lower standard ?

Kunwar Jagdish Prasad : Replies ... be given at a later date.

LABOUR REPRESENTATION ON THE MUNICIPAL BOARD, CAWNPORE.

22. **Rai Bahadur Babu Vikramajit Singh** : (a) Has the attention of the Government been drawn to the resolution passed by the municipal board of Cawnpore at its meeting held on the 16th January, 1924, on the question of direct representation of labour on the municipal board ?

(b) Will the Government be pleased to consider the advisability of giving direct and adequate representation to labour in the Cawnpore municipal board ?

Mr. G. B. F. Muir : Inquiry is being made and an answer will be given at a later date.

BOARD'S CIRCULAR LETTER.

23. **Rai Bahadur Lala Sita Ram** : Will the Government be pleased to lay on the table a copy of Board's circular letter No. 32/Stamps, dated the 24th October, 1923 ?

Mr. E. A. H. Blunt : A copy is placed on the honourable member's table.

Circular letter no. 32/Stamps.

FROM

C. F. WOOD, Esq., I.C.S.,

SECRETARY, BOARD OF REVENUE,

UNITED PROVINCES,

TO

ALL DISTRICT OFFICERS IN THE UNITED PROVINCES.

Dated Allahabad, the 24th October, 1923.

SIR,

I AM directed to invite attention to notification No. 1271/VII, dated the 11th October, 1923, published at page 1439 of *P. osent* : part I of the *United Provinces Gazette* of the 13th idem S. H. FRIMANTLE, Esq., C.S.I., C.I.E. (copies enclosed), and to point out that exemptions hitherto granted under section 35 of the Court Fees Act by paragraph

69 of appendix C to the Stamp Manual, have been thereby altered substantially with effect from the 1st November, 1923. Formerly this paragraph consisted of 34 clauses which have now been reduced to 20. The following table will enable comparison to be made:—

Former No.	New No.					Remarks.
1	1	..	..	..	..	Modified.
2	2	..	..	..	..	Ditto.
3	3	..	..	..	..	Unaltered.
4	..	..	..	..	..	Cancelled.
5	4	..	..	..	..	Unaltered.
6	..	..	..	..	..	Cancelled.
7	..	..	..	..	..	Ditto.
8	5	..	..	..	..	Modified.
9	..	..	..	..	..	Cancelled.
1	6	..	..	..	..	Modified.
11	7	..	..	..	..	Unaltered.
12	8	..	..	..	..	Ditto.
13	..	..	..	..	..	Cancelled.
14	9	..	..	..	..	Unaltered.
15	..	..	..	..	..	Cancelled.
16	10	..	..	..	..	Modified.
17	..	..	..	..	..	Cancelled.
18	11	..	..	..	..	Unaltered.
19	12	..	..	..	..	Modified.
20	..	..	..	..	..	Cancelled.
21	13	..	..	..	..	Unaltered.
22	14	..	..	..	..	Ditto.
23	..	..	..	..	..	Cancelled.
24	..	..	..	..	..	Ditto.
25	15	..	..	..	..	Unaltered.
26	..	..	..	..	..	Cancelled.
27	16	..	..	..	..	Unaltered.
28	..	..	..	..	..	Cancelled.
29	17	..	..	..	..	Unaltered.
30	18	..	..	..	..	Ditto.
31	..	..	..	..	..	Cancelled.
32	19	..	..	..	..	Unaltered.
33	20	..	..	..	..	Ditto.
34	..	..	..	..	..	Cancelled.

2. Attention is also invited to the following more important changes:—

- (i) *Former No. (1), new No. (1).*—Formerly the fee chargeable under article 1 (b), schedule II, was remitted on all applications presented to a Collector for refund of the value of stamped paper which had become spoiled or unfit for use or was no longer required for use, and on all applications for renewal of stamped paper which had become spoiled or unfit for use. Now the fee has been reduced to 2 annas on both classes of applications in cases where the value of the stamped paper does not exceed Rs. 25. In other cases full fee will be chargeable.

- (ii) *Former No. (4) has been cancelled.*—But slips (*chithis*) supplied to tenants and landholders for the purpose of attestation in the course of a revision of records are not liable to any court fee even now, as they are original documents. They are returned to the Assistant Record Officer and form the foundation of the new khatauni.
- (iii) The cancellation of former exemption No. 7 is one to which the attention of all copying departments must be drawn. It has in the past been a frequent practice for applicants to take copies after payment of copying charges only (which latter of course are not altered by this notification) and not to pay any court fee until the copy was required for presentation in a court. In this connection your attention is invited to the third paragraph on page 48 (or fourth paragraph on page 49 of Reprint) of Rai Sahib Pandit S. D. Bajpai's "Notes on the Administration of Stamp Law."

Such action was possible only by virtue of exemption now cancelled. In future, court fees must be paid on all copies (except those mentioned in clauses 8, 17 and 19 of notification No. 1231/VII of the 11th October, 1923), before they are issued and therefore every copy will be eligible for presentation in Court (see also first paragraph on top of page 49 or second paragraph on page 50 of Reprint) of Rai Sahib Pandit S. D. Bajpai's "Notes on the Administration of Stamp Law."

Former No. (16), new No. (10).—Formerly if the amount of court fee chargeable in any case involved *any* fraction of an anna that fraction was remitted. Now the fraction is remitted only when it is less than half an anna. Arrangements have been made for the supply of $1\frac{1}{2}$ anna labels, vide Board's Circular endorsement No. 31/V.S.—579-A., dated the 5th October, 1923.

- (v) *Former Nos. (23) and (28), cancelled.*—Applications for the grant or renewal of licences or duplicates under the Indian Arms Rules, 1920, as well as other applications relating to licences or duplicates granted or renewed under the said rules are no longer exempt from court fee payable under schedule II; nor are applications for grant of licences for the possession of dangerous petroleum for use on motor vehicles and for its transport thereon for use therein.

3. The following officers will be particularly affected by the changes made :—

- (1) Stamp Officers [old Nos. (1), (3) and (17)].
- (2) District Magistrates and Sub-Divisional Magistrates [old Nos. (6), (23) (24) and (28)].
- (3) Officers in charge of copying departments [old Nos. (4), (7) and (19)].
- (4) Collectors dealing with—
 - (a) Taqavi [old No. (10)].
 - (b) Income-Tax [old Nos. (13) and (34)].
 - (c) Licences to cultivate hemp plant [old No. (31)].

(d) Refund of value of spoiled stamps [old Nos. (1) and (3)].

(e) Licences for vend of stamps [old No. (17)].

4. I am accordingly to request that the attention of all concerned may be drawn to the changes effected by the notification of the 11th October, 1923.

I have the honour to be,

SIR,

Your most obedient servant,

C. F. WOOD,

Secretary.

Enclosures:—

Copies of notifications in addition to five copies sent by Government.

Circular endorsement No. 33/Stamps.

Copy forwarded to all Commissioners of divisions in the United Provinces for information and necessary action.

By order, etc.,

C. F. WOOD,

Secretary.

No. 1231/VII—353 of 1923.

NOTIFICATION.

JUDICIAL (CIVIL) DEPARTMENT.

MISCELLANEOUS.

The 11th October, 1923.

Under section 35 of the Court Fees Act, 1870 (VII of 1870), as amended by the Devolution Act, 1920 (XXXVIII of 1920), and in supersession of all previous notifications under that section, it is hereby notified that in exercise of the power to reduce or remit, in the whole or in any part of the territories under his administration, all or any of the fees mentioned in the first and second schedules to the said Act, the Governor in Council has been pleased in respect of the whole of the territories under his administration to make, with effect from the 1st November, 1923, the reductions and remissions hereinafter set forth, namely:—

- (1) To direct that the fees chargeable on applications presented to a Collector for refund of the amount paid to the Government for stamped paper of value not exceeding Rs. 25, which has become spoiled or unfit for use, or is no longer required for use, and on applications for renewal of stamped paper of value not exceeding Rs. 25, which has become spoiled or unfit for use, shall be limited to two annas;

- (2) To remit the fees chargeable on applications in writing relating exclusively to the purchase of salt which is the property of the Government ;
- (3) To direct that when a plaint disclosing a reasonable case on the merits is presented to any civil or revenue court in such a form that the presiding Judge or officer, without summoning the defendant, rejects it not for any substantial defect but on account of an entirely technical error in form only, and so as to leave the plaintiff free to prosecute precisely the same case in another form against the same defendant or defendants, the value of the stamps on the plaint after deducting one anna for each rupee or fraction of a rupee shall be refunded on presentation of an application to the Collector of the district in which the court is situated, together with a certificate from the Judge or officer who rejected the plaint, that it was rejected under the circumstances above described, and that allowance for the stamp used on it should, in his opinion, be made ;
- (4) To direct that the fee chargeable on appeals from orders under section 47 of the Code of Civil Procedure, 1908 (Act V of 1908) shall be limited to the amounts chargeable under article 11 of the second schedule ;
- (5) To direct that the fees chargeable under paragraph 2 of clause (b) of article 1 of the second schedule on applications for orders for the payment of deposits in cases in which the deposit does not exceed Rs. 25 in amount shall be limited to two annas :

Provided that the application is made within three months of the date on which the deposit first became payable to the party making the application ;

- (6) To remit the fees chargeable on applications for loans under the Agriculturists Loans Act, 1884 (XII of 1884) ;
- (7) To remit the fees chargeable on an application made by a person to the Collector under sub-section (2) of section 42 of the Indian Stamp Act, 1899 (II of 1899), for the return to that person, or to the Registration officer who impounded it, of a document impounded and sent to the Collector by a Registration officer ;
- (8) To remit the fees chargeable on the following documents, namely :—
 - (a) copy of a charge framed under section 210 of the Code of Criminal Procedure, 1898 (V of 1898), or of a translation thereof, when the copy is given to an accused person ;
 - (b) copy of the evidence of supplementary witnesses after commitment, when the copy is given under section 219 of the said Code to an accused person ;
 - (c) copy or translation of a judgment in a case other than a summons case, and copy of the heads of the Judge's charge to the jury, when the copy or translation is given under section 371 of the said Code to an accused person ;

- (d) copy or translation of the judgment in a summons case, when the accused person to whom the copy or translation is given under section 371 of the said Code is in jail;
- (e) copy of an order of maintenance, when the copy is given under section 490 of the said Code to the person in whose favour the order is made or to his guardian, if any, or to the person to whom the allowance is to be paid;
- (f) copy furnished to any person affected by a judgment or order passed by a criminal court, of the Judge's charge to the jury or of any order, deposition or other part of the record, when the copy is not a copy which may be granted under any of the preceding sub-clauses without the payment of a fee, but is a copy which, on its being applied for under section 548 of the said Code, the Judge or Magistrate, for some special reason to be recorded by him on the copy, thinks fit to furnish without such payment;
- (g) copies of all documents furnished under the orders of any court or Magistrate to any Government Advocate or Pleader or other person specially empowered in that behalf for the purpose of conducting any trial or investigation on the part of the Government before any criminal court;
- (h) copies of all documents which any such Advocate, Pleader or other person is required to take in connection with any such trial or investigation for the use of any court or Magistrate, or may consider necessary for the purpose of advising the Government in connection with any criminal proceedings;
- (i) copies of judgment or depositions required by officers of the Police department in the course of their duties;
- (9) To remit the fee chargeable on an application presented by any person for the return of a document filed by him in any court or public office;
- (10) To direct that, if the amount of the fee chargeable in any case involves a fraction of an anna less than half an anna, the fraction shall be remitted, except where otherwise expressly provided by this notification;
- (11) To direct that no court fee shall be charged on an application for the repayment of a fine or of any portion of a fine, the refund of which has been ordered by competent authority;
- (12) To remit the fees chargeable on applications for copies of documents detailed in clause 8 *supra*;
- (13) To remit the fees chargeable on applications presented to officers of land revenue for the suspension or remission of revenue on the ground that a crop has not been sown or has failed;
- (14) To remit the fee chargeable on applications and petitions presented to a Collector or any Revenue officer having

jurisdiction equal or subordinate to that of a Collector for advice or assistance from the Agricultural department of the province ;

- (15) To remit as follows the fees in respect of the property of any person subject to military law either under the Army Act (44 and 45 Victoria, C. 58) or under the Indian Army Act, 1911 (VIII of 1911), who is killed or dies of wounds inflicted, accident occurring or diseases contracted within three years before death while on active service in the late war :—
- (a) where the amount or value of property in respect of which the grant of Probate or Letters of Administration is made or which is specified in the certificate under the Succession Certificate Act, 1889, or in the certificate under Bombay Regulation No. 8 of 1827, does not exceed Rs. 50,000, to remit the whole of the fees leviable in respect of that property ;
 - (b) where the said amount or value exceeds Rs. 50,000 to remit the whole of the said fees in respect of the first Rs. 50,000 ; and
 - (c) where any property passes more than once in consequence of such deaths, to remit in the case of second and subsequent successions the whole of the said fees irrespective of the value or amount of such property ;
- (16) To remit the fees chargeable on applications presented to officers of Land Revenue for the suspension or remission of loans under the Land Improvement Loans Act, 1883 (XIX of 1883), or the Agriculturists Loans Act, 1884 (XII of 1884) ;
- (17) To remit the fees chargeable on copies of decrees of civil courts situate in the territories of His Highness the Gaekwar of Baroda forwarded to any court in British India for execution in pursuance of the provisions of section 44 of the Civil Procedure Code, 1908 (V of 1908) ;
- (18) To reduce to eight annas the fee chargeable on a copy of any number of entries in a settlement record relating to any one village in the Kumaun division ;
- (19) (i) to remit the fees payable on all documents filed, exhibited or recorded in, or furnished by, the Court of the Special Judge under the Bundelkhand Encumbered Estates Act, 1903 (United Provinces Act I of 1903) ;
- (ii) to remit the fees payable on all documents connected with the proceedings in the court of the Commissioner under the Act, except on memoranda of appeal and on applications for revision of any decision or order of the Special Judge under Chapter VI thereof ;
 - (iii) to reduce to eight annas the fee payable on any appeal against a decision of the Special Judge under Chapter VI of the Act ;

- (20) To remit the fees chargeable on notices of claims under section 6, sub-section (c) of the Indian Forest Act, 1878 (VII of 1878), presented to Forest Settlement Officers in the district protected forests of the Kumaun division.

By order,

L. S. WHITE,

Dy. Secy. to Govt., United Provinces.

No. 1232/VII—353.

COPY forwarded to all Commissioners of divisions, United Provinces, for information.

No. 1233/VII—353.

COPY also forwarded to all District Judges, United Provinces, for information.

No. 1234/VII—358.

COPY also forwarded to all District Officers, United Provinces, for information.

No. 1235/VII—358.

COPY also forwarded to the Registrar, High Court of Judicature at Allahabad, for the information of the Hon'ble Court.

No. 1236/VII—353.

COPY also forwarded to the Judicial Commissioner of Oudh for information.

No. 1237/VII—353.

COPY also forwarded to the Chief Conservator of Forests, United Provinces, for information.

No. 1238/VII—353.

COPY also forwarded to the Secretary, Board of Revenue, United Provinces, for information.

By order,

L. S. WHITE,

Dy. Secy. to Govt., United Provinces.

PRICE OF THE UNITED PROVINCES COUNCIL PROCEEDINGS.

24. **Rai Bahadur Lala Sita Ram** : With reference to the answer to my unstarred question No. 6, dated the 29th January, 1924, will the Government be pleased to fix a price for the proceedings of the United Provinces Legislative Council for the years 1921—1923 at a cheaper rate than Rs. 32 annually to ensure their great publicity and larger sale?

Mr. J. R. W. Bennett : Government does not think that any reduction is required in the price. The average price of the annual proceedings for the years 1921—1923 is considerably less than Rs. 32.

SALE-PROCEEDS OF MOTOR LORRIES.

25. **Rai Bahadur Lala Sita Ram** : Will the Government be pleased to indicate the amount of sale-proceeds of the 30 motor lorries? When were they disposed of?

Mr. G. B. Lambert: The sale of these lorries has been ordered, but not yet completed.

OFFICES OF THE P. W. D.

26. Rai Bahadur Lala Sita Ram: Have the offices of Superintending Engineers, Irrigation branch, Public Works department, been all removed to Allahabad? Has similar action been taken with regard to the Buildings and Roads branch of the Public Works department?

Mr. A. C. Verrières: Yes, except the Sarda Canal circles. Orders have been issued to amalgamate the offices of the Superintending Engineers of the III and IV circles, Provincial works, with that of the Chief Engineer, Buildings and Roads branch, in Allahabad. Orders regarding the I and II circles await the orders of Government on the Public Works department re-organization. The amalgamation of the offices will be given effect to gradually.

27. Rai Bahadur Lala Sita Ram: How are these vacant buildings proposed to be utilized?

Mr. A. C. Verrières: It is proposed to utilize the office of the Superintending Engineer, III circle, in Allahabad, which is a small isolated building, as a residence for the Assistant Secretary, Public Works department, as it is at no great distance from the Chief Engineer's office. The residence of the Superintending Engineer, IV circle, with small alteration will be utilized as a residence for two Public Works department sub-divisional officers in Fyzabad.

The office of the Superintending Engineer, IV circle, at Fyzabad, will be converted into an inspection house, the want of which has been much felt in Fyzabad, as there is no hotel in the station.

The best way of disposing of the Superintending Engineer's residence and offices in Meerut and Lucknow will be considered later.

As regards the offices of the Superintending Engineers of the Irrigation branch inquiry is being made and a reply will be given later.

PASSENGER TAX BY THE ALLAHABAD MUNICIPALITY.

28. Dr. Shafa'at Ahmad Khan: Has the attention of the Government been drawn to the passenger-tax imposed by the Allahabad municipality? Has any other municipality imposed a tax of this kind?

Mr. G. B. F. Muir: The answer to both parts of the question is in the affirmative.

PREVENTION OF BEGGING IN THE UNITED PROVINCES.

29. Dr. Shafa'at Ahmad Khan: What measures have the Government adopted for the prevention of beggary in these provinces? Has the attention of the Government been drawn to the measures in force in Bombay?

Mr. G. B. F. Muir: The attention of municipal boards was drawn in 1921 to the provisions of section 248 of the Municipalities Act. No other action has been taken. The Government are not aware of the steps taken in Bombay but will make inquiries.

CHAIRMEN OF IMPROVEMENT TRUSTS.

30. **Dr. Shafa'at Ahmad Khan:** Is it intended to keep paid chairmen for some, if not all, of the Improvement Trusts?

Mr. G. B. F. Muir: This, with other questions affecting the future of the Improvement Trusts, is being examined by the Government.

CARPENTRY SCHOOL, ALLAHABAD.

31. **Dr. Shafa'at Ahmad Khan:** Is it a fact that tenders for the construction of a Carpentry School in Allahabad have been advertised for?

Kunwar Jagdish Prasad: Yes.

32. **Dr. Shafa'at Ahmad Khan:** Is it intended to construct a Carpentry School in these times of financial stringency?

Kunwar Jagdish Prasad: Government have decided to construct a building for the Carpentry School, Allahabad, after full consideration of the financial situation.

PUBLIC WORKS DEPARTMENT RE-ORGANIZATION COMMITTEE.

33. **Dr. Shafa'at Ahmad Khan:** What action has the Government taken with regard to the recommendations of the Public Works Re-organization Committee?

Mr. A. C. Verrieres: The honourable member is referred to the answer given to starred question No. 52, asked by Rai Bahadur Lala Sita Ram this day.

ABOLITION OF DEPUTY INSPECTORS OF MUHAMMADAN SCHOOLS.

34. **Dr. Shafa'at Ahmad Khan:** Do the Government intend to abolish the posts of Deputy Inspectors of Muhammadan Schools?

Kunwar Jagdish Prasad: The abolition of the post of Deputy Inspectors of Muhammadan Schools has been recommended by the Economy Committee. The recommendation of the committee is under consideration of Government.

LUCKNOW MUSEUM.

35. **Dr. Shafa'at Ahmad Khan:** What are the constitution and functions of the Executive Committee of the Lucknow Museum?

Kunwar Jagdish Prasad: The Provincial Museum, Lucknow, is managed by a committee consisting of experts in Archaeology, Numismatics, Natural History, and Ethnography presided over by the Commissioner of the Lucknow division. It is appointed by Government on the recommendation of the existing committee or nominated at the Government's discretion.

The committee is responsible for the management of the Museum, the care and collection of the exhibits, and the control of expenditure.

ELECTION OF A MEMBER FOR THE MUSLIM ADVISORY BOARD OF THE ALLAHABAD UNIVERSITY.

The Hon'ble the President: Honourable members will see from the notice on the table that there is to be an election by the non-official Muslim members of the Legislative Council of one of their body to

serve on the Muslim Advisory Board of the Allahabad University. In holding the election in the Council Chamber we are going one stage further than we have done hitherto. We have held many elections which were open only to non-official members of the Council though there are official members also. We are now going one stage further in holding an election by one section of the non-official members. If honourable members have no objection the election will be held. I will take proposals.

Mr. Muhammad Aslam Saifi : I propose the name of Nawabzada Muhammad Yusuf.

Dr. Shafa'at Ahmad Khan : I second it.

The Hon'ble the President : As there is only one vacancy and only one member has been proposed, namely Nawabzada Muhammad Yusuf, he is accordingly declared elected.

The Hon'ble the President : Honourable members will have found on their tables copies of the supplementary estimates which will be taken tomorrow. As the supplementary estimates have been on the table since the 26th, the complete two days necessary for proposing amendments have been available. Consequently any amendments to be proposed should be sent in to my office, i.e., the office of the Council, before 3 o'clock this afternoon.

RESOLUTION *re* REDUCTION OF IRRIGATION RATES.

Pandit Nanak Chand : I move—

That this Council recommends to His Excellency the Governor in Council to take immediate steps to reduce irrigation rates and to give effect to the assurance given on behalf of the Government on Pandit Hirday Nath Kunaru's resolution on irrigation rates, dated the 27th February, 1923.

To begin with, I beg to acknowledge the relief that was given to the agricultural classes by the Government on the recommendation of the old Council in the matter of *paleo* rate reduction in the rate for gram and the abolition of the *kiari* system. The existing irrigation rates were introduced from April last. They were announced by the late Governor, Sir Harcourt Butler, on the eve of his departure. Soon after that announcement the matter was brought before the old Council and in that discussion it was brought out that the main ground which had led the Government to enhance these rates was the rise in prices to meet the financial stringency. It was remarked by the Hon'ble Finance the Member on the 2nd February, 1923 :—"Now, Sir, in this long period great economic changes have taken place. There has been an immense rise in the level of prices, apart altogether from the changes that occurred between 1878-79 and 1904. The movement of prices since 1904 has been steadily upward." As I said just now, this was the main consideration with the Government. It was presumed by the Government that the cultivators have profited by this rise in prices. I would not say that the Government was oblivious to other counteracting factors, but I submit that the Government did not take into sufficient consideration the forces acting in the contrary direction. I refer to the rise in the cost of cultivation on account of rise in the prices of the materials and instruments required for cultivation and also the rise in wages. This rise in the prices had also affected the cultivators

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generally, as the price of commodities required by them has also risen. The most important factor in the case of cultivators is that of rent, of land. As prices have gone on rising, the landlords also go on enhancing agricultural rents from time to time. Allowing for all these factors, as a matter of fact very little is left for the cultivators to be drawn upon by the Government in the form of enhanced irrigation rates. The Government, as I suggested, presumed that the cultivators had benefited by this rise in prices. I submit that the other countervailing factors did simultaneously play a considerable part and left very little for the actual cultivators out of this rise in prices. It is well known to every honourable member of this House that the standard of life of the cultivators is very low indeed. Honourable members of this House and its predecessors have on many occasions drawn the attention of the Government to the unhappy conditions of life prevailing in the rural areas, and it would have been just and magnanimous on the part of the Government not to enhance these rates, at least to their present extent when this Government has been rightly showing its utmost of solicitude for these poor cultivators when the parties concerned are the zamindars and the tenants. It is, Sir, often asserted and correctly too that the brotherhood of Shylock is exacting and usurious, and that some landlords at least are unfortunately rack-renting the poor tenants. If I may be permitted to say so, the Government has not shown any generosity in this connection by raising these irrigation rates to their present level. If Government had no control upon other parties at least in this case, the Government should have treated the poor tenants with generosity. I would like to draw the attention of this House to the various rates.

The rates previous to the present rates in the areas served by the Upper Ganges Canal were as follows:—

Sugarcane and rice Rs. 7-8-0 per acre for flow, and Rs. 3 for lift. All other kharif crops were assessed at flat rates of Rs. 2-8-0 for flow and Re. 1 per acre for lift, and all rabi crops, Rs. 4 and Rs. 2 respectively. A reduction was made in the case of gram on the recommendation of this Council and the rates were fixed at Rs. 2-8-0 and Re. 1-4-0 for flow and lift. These rates were changed into present rates, which stand as follows:—The crops have been divided into classes.

	Flow rate.			Lift rate.		
	Rs.	a.	p.	Rs.	a.	p.
I Sugarcane	12	0	0	4	0	0 per crop.
II Rice	7	8	0	3	0	0 „
III Vegetables, orchards, gardens and waternuts	6	0	0	2	8	0 „
IV Wheat and barley	5	0	0	2	8	0 „
V Linseed, lucerne, peas, tobacco and other rabi crops	4	0	0	2	0	0 „
VI Other kharif crops	3	0	0	1	8	0 „
VII Gram	2	8	0	1	4	0 „

To take the case of sugarcane first, as honourable members are well aware, sugar manufacture is an important industry which depends mainly on sugarcane cultivation. Some time ago the Government of India appointed an Indian sugar committee. That committee in their report has pointed out that “the most striking fact brought out by these

statistics" (those of other countries) "is the extraordinary low production of sugar in India per acre." The report goes on to say :—

"The position of India is really much worse than these figures indicate when it is remembered that by far the largest part of sugar produced in India is in the form of gur, which is in reality merely concentrated cane juice and contains all the molasses that exist in the juice ; whereas the statistics for other countries refer only to sugar from which the bulk of the molasses has been separated in the process of manufacture. The extent of this difference can be gauged from the fact that whilst cane sugar from other countries yields on the average 90 per cent. of refined sugar, gur does not yield more than 50 per cent. of refined sugar, the rest being molasses and waste. In actual sugar, India's production per acre is thus less than one-third of that of Cuba, one-sixth of that of Java and one-seventh of that of Hawaii. The great scope for improvement is therefore evident in view of the enormous acreage under cane in India, which represents nearly half the cane area in the world. Even a small increase in the acreage and outturn of gur will have far-reaching effects in improving her position."

This is the position of India as regards her present area under cane cultivation and as regards the outturn. As regards the United Provinces, in Chapter III the committee remark :—

"As is shown by the statistics given in the following paragraph, the acreage under cane in the United Provinces is more than half the total acreage under cane in India. Although cane is grown in every district with the exception of Almora and Garhwal, the principal cane-growing tracts are Meerut and Rohilkhand divisions in the west and Gorakhpur division in the extreme east, which between them contribute nearly two-thirds of the total cane area of the province."

This reference will have shown to the honourable members of this House that the area under sugarcane cultivation in the United Provinces is one-fourth of the area under sugarcane cultivation in the world. From this honourable members can understand the significance of this crop to India and to these provinces particularly. In spite of our having been fortunate to have a department of Agriculture in our provincial Government and in spite of the additional good fortune of having the Director of Agriculture, who unfortunately is not present here just now, but who has got a very high reputation of being an expert in matters relating to sugarcane, his efforts and the efforts of the department of Agriculture have not to any appreciable extent so far succeeded in improving the yield of sugarcane or the percentage of sugar from the cane. The methods of production and the manufacture of sugar continue to be the same old primitive methods. This is a serious handicap which the sugar industry has to take into account. Other competing countries in the Indian sugar market itself have many advantages. They are producing sugar under best advantages with the help of scientific and improved methods and in some cases with State aid. I hesitate to refer State aid in view of the possibility of my learned friend Dr. Ganesh Prasad taking serious objection to State aid to industries. But I do not hesitate in confessing that I am a staunch believer in State aid to industries under the present industrial conditions in India and personally having in view the great possibilities of sugarcane industry to our provinces particularly, I regard it to be the duty of the Government to

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help the industry in as many possible directions as it can, and the least that it can do is to have an irrigation rate which will not be seriously felt by the agricultural classes. I come from a district which is one of the important sugarcane producing districts and I claim to know how the tenants feel on this question. They have often expressed to me that as the irrigation rates have gone up, and the prices of agricultural produce are falling, they apprehend that in the near future the competition of imported sugar will make it impossible for them to cultivate sugarcane with advantage. And there are many tenants who say that they are intending to restrict the area under sugarcane cultivation. If this is the effect of the rise in irrigation rates, however unintentional it may be on the part of the Government, who, I understand, are quite anxious to foster this industry, the result will be disastrous. I am aware of the fact that there is an import duty of 25 per cent. on imported sugar. But, as I pointed out to the honourable members of this House when quoting from the Sugar Committee report, it will be apparent to the honourable members that the yield per acre of sugar is very low indeed in these provinces, and that counterbalances to a very large extent the advantage the Indian sugar has over the imported sugar in this matter. I come next to rice. In some districts where rice is grown and where the cultivation of rice partially depends upon irrigation, I have been told that there is a general complaint that the water supplied to this crop is not sufficient and that it is not supplied at the time when it is very badly wanted in the interest of healthy growth of the crop. If the complaint is well founded the present rates are very unfair indeed. Turning next to grain crops which are very largely consumed by poorer classes. The present arrangement and the classification of rates into various classes acts very hardly upon the poorer classes. Wheat and barley, as I pointed out earlier, are classed under class 4. If any cultivator sows a mixed crop of any of these cereals with cereals in the lower classes chargeable at lower rates he is charged at the rate of the grain placed in the higher class. For example, if a tenant mixes gram with wheat or barley or mixes peas with barley, he will be charged at the rate prescribed for wheat. Then coming to fodder crops, for example, oats, which are charged at the same rate as wheat and barley. That acts as a deterrent upon people growing fodder crops. The maize and juar crops are also charged at enhanced rates. I had expected that the Government would have by this time reduced the rate for these two crops, because in his speech on the 2nd February the Hon'ble the Finance Member remarked :—"The rates for maize and juar have been raised, and if honourable members had expressed the view that these rates should have been maintained at the old level we should have been prepared to agree." But I presume, Sir, that the Government did not consider it proper to reduce the rates even in the case of these two crops one of them, viz., juar is a principal fodder crop.

The Irrigation department has got very high rates for municipal areas. Recently it was brought to my notice that agricultural areas within municipal limits have to pay very high rates, i.e., Rs. 16 per acre for flow and Rs. 8 per acre for lift for half year, irrespective of the crops grown on the fields. Coming as I do from a rural district where the urban and municipal areas do not absolutely exclude agricultural

cultivation. I know it as a fact that it acts as a hardship on occupancy and non-occupancy tenants whose fields are situated within municipal limits. My attention was drawn to this fact in connection with the C. M. S. Mission bungalow at Bulandshahr which is so situated that the municipal boundary passes through it and consequently a part of the compound is within the municipal limits and another part outside. The owner of that bungalow has to pay two different rates.

The Hon'ble the Finance Member also told us on the last occasion that barley and garden crops are charged at a higher rate in this province than in the Punjab. From this I understand that barley is charged at a lower rate than wheat in the Punjab, this is presumably because it fetches a lower price than wheat in the market. But here on administrative considerations the department has decided to charge the same rate for wheat and barley irrespective of the differences in price.

I have no desire to go at length into the discussions on the subject in the last Council. It will suffice for my present purpose if I mention that on the 2nd February, 1923, Chaudhri Mukhtar Singh moved the following resolution:—"That this Council recommends to the Government that there should be no further increase in the existing water rates for the different crops." This resolution was carried by the Council, but the Government did not see its way to give effect to it even partially. Again, on the 27th February, 1923, Pandit Hirday Nath Kunzru moved a resolution to the following effect:—"That this Council recommends to the Governor in Council to take steps to introduce legislation at an early date with a view to requiring the approval of the Council to a revision of the irrigation rates." In reply the Hon'ble the Finance Member was pleased to say that the Government was prepared to consider the proposal and would appoint a committee to investigate into the matter. The Government appointed a committee accordingly consisting of the following gentlemen, namely the Chief Engineer, the Legal Remembrancer, Mr. Lane, Rai Bahadur Lala Sita Ram, Thakur Jagannath Bakhsh Singh and Maulvi Muhammad Fazl-ur-Rahman Khan, with Mr. Fremantle as President. Unfortunately the committee was not happily constituted as two of the members did not even attend it. I refer to the non-official members Thakur Jagannath Bakhsh Singh and Maulvi Fazl-ur-Rahman Khan. It was presumably because these honourable members had very little or no experience of the hardships felt by the cultivators by these rates, as they come from areas which have not the benefit of canal irrigation. This committee published their report which has appeared in the *United Provinces Government Gazette* for the 2nd February, 1924. Unfortunately, I had not seen this report before I gave notice of this resolution. I personally favour the idea of having a schedule incorporated in the Irrigation Act just as it has been suggested in the note of dissent by my friend Rai Bahadur Lala Sita Ram, this is necessary to prevent future enhancements without a reference to this Council, at the same time I maintain that the burden of the present irrigation rates is felt as a real hardship by the agricultural classes; and therefore I would request the Government to reconsider the present position and reduce the irrigation rates irrespective of any other considerations. I am not oblivious to the sympathetic announcement made by the Hon'ble the Finance

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Member that he is alive to this feeling among the agricultural classes, but that pious wish is very much circumscribed with the condition of financial resources of the province. I wish that the Hon'ble the Finance Member acknowledged the necessity if not the justice of this demand and took measures to reduce the present rates, and, if possible, if the Council agrees to the amendment which is on the agenda, to incorporate the schedules of rates in the Irrigation Act itself on the lines of the schedules for court fees and stamps in their respective Acts. If Government is prepared to make substantial reductions in the present irrigation rates, I for myself am ready to meet the Government in their financial measures to the extent of the relief granted to the agricultural classes in the matter of these irrigation rates, but we ought to know what the extent of that reduction will be, to what extent the Government is prepared to go. Unless we know that, we cannot, simply on the vague assurance of the Hon'ble the Finance Member that he will make a concession to agricultural interests, commit ourselves to supporting any financial measures that the Government may put forward. I have expressed my own personal opinion, but the Government should put this question on a sure and permanent basis. I do not merely wish that the Government should give us an undertaking today that they are going to reduce the rates, but I further wish them to take steps to ensure that these rates shall be placed within the purview of this Council in the manner suggested in the amendment on the agenda. If the Government is not prepared to give any assurance of that kind or to take any steps to ensure that, then the position will continue to be uncertain for the future and the Government will be empowered to enhance the irrigation rates to any level they please whenever they choose to do so. For this reason it is necessary that the Government should give a satisfactory assurance and take necessary steps to ensure that future variations in these irrigation rates shall be subject to the vote of this honourable house.

The Hon'ble the President : It is now time for the honourable member to conclude his speech.

Pandit Nanak Chand : With these words, Sir, I commend this resolution for the acceptance of the Council and the Government.

Rai Bahadur Lala Sita Ram : I beg to move an amendment to the resolution that has just been placed before the House by the honourable mover. For the words "immediate steps to reduce irrigation rates and to give effect to the assurance given on behalf of the Government on Pandit Hirday Nath Kunzru's resolution on irrigation rates, dated the 27th February, 1923," substitute the words "early steps to incorporate in the schedule to the Canal Act all the rates charged on the various canals in the United Provinces."

So that the resolution, if the amendment is accepted by the House, would run—

"That this Council recommends to His Excellency the Governor in Council to take early steps to incorporate in the schedule to the Canal Act all the rates charged on the various canals in the United Provinces." Before I say anything on the subject-matter of the amendment I should like to express a welcome to the Chief Engineer, Irrigation

Canals. I see in his nomination an indication of Government's solicitude for dealing with matters arising in this Council out of the Canal department and for giving perhaps a partial relief to the hard-worked Finance Member in meeting attacks over this department. I am afraid his presence today, I mean the presence of the Chief Engineer today in this Council, together perhaps with the consciousness that the length of the channels is a very extensive one, has been a source of temptation in the way of the honourable mover in wandering into the various crops and wandering into the meanderings of the subject like, if I may say so, the meanderings of the various channels and canals. I wish to present rather a clear-cut issue before the House which I have, I believe, incorporated in this amendment of mine. Before I do so I should like just to take the House into a short history of this question, only a short history, as most of it has already been narrated by the honourable mover. It was in January last that the canal rates were increased to the tune of about 22 lakhs of rupees by a stroke of the pen by Government. These increased canal rates came into effect, if I mistake not, from the 1st of January, 1923.

The Hon'ble Mr. S. P. O'Donnell : From the 1st of April, 1923.

Rai Bahadur Lala Sita Ram : But the announcement of that increase was made earlier than that date. I shall not be guilty of impropriety or of violating any of your rulings if I mention that the Irrigation Board before which this matter was placed—a board on which there were a number of Government officers—agreed to an increase of about 10 to 12 lakhs. The recommendations of the Irrigation Board were, I admit, of a purely advisory character, but I mention this only to show that there was a time in 1922 when the officers of the Government and the non-official members of the board—I was not a member of the board—had agreed as a compromise to an increase which came to 10 to 12 lakhs. The matter was placed before the Finance Committee and the Finance Committee, subject to certain conditions, also agreed to an increase, but to a modified extent, say perhaps 10 lakhs. The Government disregarded the recommendations of their board and their committee and increased the canal rates so as to bring an additional income of 22 lakhs. My honourable friend Chandhri Mukhtar Singh early in February, 1923, brought up a resolution which met with the almost unanimous support of the non-official members of this House that these rates should not be increased at all and that Government should not increase the rates to such an extent and in that manner. I stick to every word of that resolution and to every word I said on that occasion. I consider—I repeat it again on this occasion—that the increase was not justified on that occasion, and although the Hon'ble the Finance Member said that the only justification for the increase then was the increase in prices, yet he had to admit, with his usual fairness, that it was the financial stringency and the financial conditions prevailing at that time in the province that compelled him to undertake that measure. We pointed out to the Hon'ble the Finance Member that the prices of sugarcane which had induced the Government to increase the rates on sugarcane, had gone down considerably ; still Government did not see its way to accept that resolution and the Government has not given effect to that resolution. Only this morning I read with relief—partial relief if I may say so—of a conditional undertaking given by the Hon'ble the Finance Member on the 26th in this House while making his budget statement

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that he would consider a reduction in the canal rates so as to give relief to the agriculturists if the Council went with him in voting for certain taxation measures which he has placed before the House. I would not like, Sir, to anticipate my own position which I may take in respect to these taxation measures. That will all depend on what the Government attitude is or is likely to be on matters of agricultural interest. However, the chief point which induced Pandit Hriday Nath Kunzru to bring forward that resolution was that it should not be within the power of the executive to increase or reduce the canal rates by any arbitrary action, but it should be brought within the purview of the Legislature. The Hon'ble the Finance Member gave an undertaking, and in pursuance of that undertaking a committee was appointed, to which reference has already been made by the honourable member. I unfortunately could not agree to the recommendations made by the official majority, and I shall not go into the merits of my arguments or those of my colleagues on that committee, because those arguments are now public property. They have been published in the Gazette of the 2nd February. The chief difference between me and my official colleagues was this. They also agreed that the rates must be incorporated in the schedule. I shall quote what they say. They say :—

"It would be necessary in that case to put the existing rates in the schedule of the Act not only for the four great canal systems, Upper Ganges, Lower Ganges, Eastern Jumna and Agra, the rates of which were recently revised, but also for the Rohilkhand and Dehra Dun systems and for the Bundelkhand canals."

But there is one vital difference between them and me, namely, that they consider that the increase in the canal rates is justified, was justified and should be maintained as it is. I on my part maintain that the increase was not justified and that the rates must be what they used to be before the increase was made. Leaving aside that difference, the main question of principle is : having agreed to the incorporation of the schedule in the Canal Act and having agreed to the fact that this should not be left to the executive to be determined at their sweet will, what should be done to carry out our wishes? Government agreed in principle. I will quote the wording of the resolution which are as follows :—

"The recommendations of the Joint Parliamentary Committee on the Government of India Bill may also be cited in favour of this course, namely, the course of bringing this within the purview of the Legislature. The committee seem to have had in view more particularly the regulation of the assessment of the land revenue, but the consideration underlying their recommendation can be extended to the case of irrigation rates which at present are fixed entirely at the discretion of the Local Government." So that the Government, the official members of that committee and myself all agreed to the principle that the rates must be brought within the purview of the Legislature. My official colleagues on that committee and myself also agreed that the only way to do it under the law as it is would be to incorporate these rates in the schedule to the Canal Act. But my official colleagues go a little further and say that the incorporation of the existing rates and any further alterations that are to be made (increase or decrease) should be

on a certain rule of thumb which they lay down in that report. That rule of thumb they have framed in this manner. They say that the rates should be calculated either on net profits or on rents or on prices. They have dismissed the first two alternatives, viz., they do not want to alter the rates on the basis of net profits or on the basis of rents, but they want the rates to be based on prices. I have maintained in my note of dissent that it would be unfair and inequitable to determine the rates on prices, specially when they were not determined with reference to these prices as prevailing in 1911-1915. So the only question which I have incorporated in this amendment of mine is this: Will the House like to leave the determination of these rates as an elastic measure to be determined by the executive as they like with reference to certain principles which they may lay down, or shall we as members of the Council exercise our right and privilege of altering the canal rates according to the circumstances prevailing at the time? It may be mentioned in this connection that the schedule to the Court Fees Act and the schedule to the Stamp Act are placed for revision before this House and it is at the mercy or, you might say, the sense of responsibility, of this House that they are or are not altered. Government should not therefore shirk the responsibility of placing the schedules, placing the power of taxation before the representatives of the people in this House, otherwise the main principle underlying the reforms is frustrated—a principle which was enunciated in very clear language by the Joint Parliamentary Committee, a principle which has been admitted by the Local Government and a principle which is admitted all round. So I am repeating again, Sir, the clear issue before the House. It is this: Will they like to embody only a principle in the Canal Act and leave the execution of that principle, or the regulation of that principle, the translation of that principle into action, to the executive, or will the House like that the rates should be incorporated in the schedule and that we should alter the rates as circumstances permit. That is the reason why I have brought this amendment—in order to ask the House clearly to give their decision in this matter. I may again say to avoid misunderstanding that I am in favour of reducing the rate, but what rates there should be, on what canals what rates should be applied, what crops should bear an increase or benefit by a decrease, should be left to be determined by the Council when rates are put before the House. I want that the rates should be incorporated in the schedule. We cannot leave it to Government to determine whatever rates they like. I think, Sir, I have explained the whole object of my amendment and I have placed the clear issue before the House why I brought this amendment, why I object not to the rates being reduced, but to their being left in the hands of the executive, and why I would like the House to ask the Government to incorporate the rates in the Act.

Khan Bahadur Muhammad Fasih-ud-din: I did not intend to speak on this occasion, but after hearing the speech of the learned mover I consider it my duty just to bring out a few points in connection with this subject. I think the honourable mover has brought out a very good point in connection with his resolution, namely, the relationship of the rise in prices to the condition of the agriculturist. If he means by what he has said that the rise in prices has not materially raised and improved the condition of the agriculturists, then I certainly agree with him but if he means to say that it has not at all improved his condition and has

[Khan Bahadur Muhammad Fasih-ud-din.]

left him in the same state of abject poverty then I take strong exception to what he has said. I remember that in the latter part of the first decade of this century, that is in about either 1908 or 1909 I happened to give my evidence before a committee which was appointed by the Government in order to overhaul the whole question of the rise in prices, and to formulate a definite opinion as to whether that rise had effected the conditions of the agriculturists of India or not, and if it had, to what extent. The report of the committee, as we know, is a very bulky one, but at the same time it is very interesting reading. The committee decided that the rise in prices had materially helped agriculturists and had improved their condition in general. In any case in my opinion the two main issues that are involved in connection with this subject are (1) whether the Canal department is justified in raising the canal rates or not, and (2) if so, to what extent. These are the two main issues, I think, upon which the discussion on this subject should be focussed. As to the first issue I submit that I am not an apologist for the Canal department, but at the same time I am one of those people who think that the Canal department is one of the most beneficial departments that exist in India and when the honourable mover of this resolution admits that owing to the rise in prices the wages of production of crops have increased I see no reason why the wages of the suppliers of water should not be increased, and for that reason why should not the Canal department exact more fees than they used to do in the days of low prices. I think this disposes of the first issue. As to the second issue, the extent to which these rates should be raised, I believe it is better to leave it to the Chief Engineer of the Canal department to prove that the rise in the canal rates is in proportion to the rise in the cost of production of crops. That is the only question on which we should concentrate our attention. The honourable mover of this resolution has referred to a committee which was appointed for discussing this matter and making definite proposals. I am very glad to say that although I know nothing of this committee's work, yet as it was piloted by an officer of the reputation of Mr. S. H. Fremantle, I presume that it must have come to its conclusions in a very broad-minded spirit, and I think that the only question that remains for discussion in this Council is whether the rise in the canal rates is proportionate to the improved condition of the agriculturist. This is the only point to which I wanted to refer.

The Hon'ble Mr. S. P. O'Donnell: The debate today does not seem to have thrown any fresh light on the vexed question of the enhancement of irrigation rates which was carried out a year ago. That is to say, the arguments of our critics have followed much the same lines as those advanced by them last year; and I must therefore ask the indulgence of the Council if to some extent I too have to travel over the same ground. Fortunately there are many points on which it is not necessary for me to say anything in view of the full discussion which took place last year.

I do not propose to enter upon a lengthy history of the rise of prices since the year 1878-9 when the first general revision of canal rates was carried out. It is not necessary to do so because the fact of a great rise in prices has not been challenged and because it has not been suggested that the enhancement has been greater than the rise in prices. It would be easy to demonstrate by detailed figures—I have gone into the matter carefully—that in every case the enhancement has been less than

the corresponding rise in prices. But, Sir, the honourable mover has argued that a rise in prices does not justify an increase in irrigation rates. His first point was that there had been an increase in the expenses of the cultivator. That is true, there has been such an increase, and if this had not occurred certainly the profits of the cultivator would have been greater. It seems to me however that the whole argument is based on a misapprehension. The increase in the cost of cultivation has been the effect, not the cause, of the rise in prices and has been in proportion to the latter. The proportion of the produce which falls to the cultivator after the expenses of cultivation have been met has not decreased since 1878-9; there is no reason to suppose there has been any change in that respect. And as that proportion or share now fetches a much higher price, it follows that the net profits of the cultivator, calculated in money, have risen since 1878-9.

The next point taken by the honourable mover was that the cost of the other commodities which the cultivator has to purchase has risen. That again is true; but the cost of living has not risen for the cultivator in the same proportion as for other classes, because the cultivator is to such a large extent dependent upon his own produce. Khan Bahadur Maulvi Fasih-ud-din made in this connection a very apposite reference to the report on prices which was published by the Government of India in 1914. For various reasons I happen to be familiar with that report and if honourable members will study the resolution issued by the Government of India in 1914 they will find there a full discussion of this question of the effects of a rise in prices, and a clear demonstration that a rise of prices does benefit the cultivator. The third point taken by the honourable mover was that rents had risen. If I understood him rightly he seemed to suggest that the whole benefit of the rise in prices had gone to the landlords. When prices rose the landlords, according to him, increased their rents and diverted to themselves the whole benefit of the rise in prices. Well, there are many landlords in this Council and I put it to them, is that a correct statement of the facts? Obviously not. Rents have risen but not as rapidly as prices, as rise of prices does no doubt eventually induce a rise of rents, but the tendency is always for rents to lag behind prices.

The honourable member for Meerut has argued that a rise of prices does not justify an enhancement of rates. At any rate he has argued in his minute of dissent attached to the report of the Irrigation Rates Committee that net profits are the proper basis for the determination of variations of the rates. I do not propose to discuss that statement at any length.

Rai Bahadur Lala Sita Ram : May I correct the Hon'ble the Finance Member. I said that rightly my official colleagues had rejected this and I agreed with them.

The Hon'ble Mr. S. P. O'Donnell : I am sorry that I misunderstood the honourable member. I read the report with what I thought was great care. However, I gladly accept the correction. We are left then with prices as the only means of determining variations in the level of irrigation rates, and, as I have already said, the increase in prices has been far greater than the increase in the irrigation rates. The honourable mover referred to the rate on mixed crops. It is quite true that we do charge the same rate for mixed crops. That is inevitable, on account of practical difficulties. We had to fix a flat rate

[The Hon'ble Mr. S. P. O'Donnell.]

simply because it is impossible to distinguish the different crops until one is on the edge of the field. I do not think, however, that the cultivator suffers from that, because he knows the facts quite well. He knows what rates will be charged and it may be assumed that he finds it profitable to grow mixed crops, despite the fact that he has to pay the highest rate.

Then the honourable mover referred to the rates for makka and juar. He mentioned certain remarks which I made last year in that connection. I certainly did not gather from the debate last year that there was any strong feeling in this matter. The area of makka and juar irrigated is a minute fraction of the total area sown and no alteration of the canal rates will affect the prices of these grains to any great extent. At the same time I do agree that these are the crops which are consumed by the very poor classes and, I am prepared to re-examine the question of the rates for these crops.

Then, Sir, the honourable mover referred to the rates charged in municipal areas. I cannot agree that there is any case for a reduction of the rates on these areas. It is well known that in municipal areas the cultivator grows three or four crops and makes large profits. As a matter of fact these rates were fixed, I believe, on the recommendation of the Irrigation Board.

Although, therefore, I cannot admit that the enhancement of rates carried out a year ago was in any way unjust or inequitable, nevertheless as I said in presenting the budget, there is one important concession which we are prepared to make. Last year, it will be remembered by the Council, certain gloomy prognostications were made by Chaudhri Mukhtar Singh. He prophesied the extinction of the sugarcane industry. He seemed to think that sugarcane would shortly cease to be cultivated. The honourable mover of this resolution has also told us there is likely to be a reduction in the area under sugarcane cultivation. All that I can say is that there is no indication so far of any such reduction. I have obtained the most recent figures and I find that the acreage of the present crop is 1,543,000 acres, i.e., 14 per cent. higher than the acreage of the preceding year, 34 per cent. higher than that of the year before and 20 per cent. higher than that of the still earlier year. The whole of the present crop was sown after the announcement had been made of the increase in rates. That does not look as if the cultivator at any rate anticipated the extinction of the sugar industry.

Rai Bahadur Lala Sita Ram : We shall see the effect of this next year

The Hon'ble Mr. S. P. O'Donnell : Well, we shall see. However, as I have said, the Government desires, not merely not to impose any obstacle in the way of the sugarcane industry but also indirectly to foster that industry, and for that reason we are prepared to make—if our financial resources permit and if the Council provides us with the funds—a substantial reduction in the sugarcane rate. I have been asked what the reduction will be. Well, it will be a reduction which will at any rate cost us not less than 5 lakhs of rupees. That, I think it will be agreed, is a very substantial reduction. At the same time if honourable members who are interested in the matter so desire, I shall be very glad indeed to discuss the matter with them privately.

Lastly, Sir, I come to the second part of this resolution. We have no intention whatever of resiling from any undertaking which we have already given. It is our intention to introduce as early as practicable a Bill in this Council bringing these irrigation rates within the purview of the Legislature. What form that Bill will take I cannot at present say. We have published the report of the Irrigation Rates Committee expressly for the purpose of eliciting opinion thereon. When we have received these opinions we shall give them our most careful consideration and we shall of course give due attention to the arguments which have been advanced today in this Council. Thereafter we shall prepare a Bill and submit it for the sanction of higher authority. I cannot say when exactly that Bill will be introduced; but, allowing for these processes, I see no reason why the Bill should not be introduced in the course of the present year.

As for the first part of the resolution, therefore, though we cannot admit that the enhancements imposed are unjust or inequitable, still we are prepared to make one more concession if our financial resources so permit. The second part of the resolution we are prepared to accept. Regarding the amendment as I have said, I cannot express any opinion. We must reserve an open mind for the present, until we have received and considered the opinion expressed as to the exact form which our legislation should take.

Lieut. Nawab Jams hed Ali Khan: I give my whole-hearted support to the resolution so ably moved by my honourable friend Pandit Nanak Chand. In giving my support to the resolution, I am voicing the feelings and sentiments of those tenants who are the backbone of India. The first, and, I believe, the foremost argument put forward in opposing the resolution is that the produce of land has risen in value and so there is no reason why the Government should not take its share in it. Sir, in the increase of products and rise in prices Government has its full share, or, I should say, more than its full share in the periodic assessments of settlements. Is the rate of revenue in the villages irrigated by canals not higher than those which are not irrigated? Is it not a direct income which the Government is drawing from canal irrigation? I hope it is not fair and just that the Government should make it a business proposition. What is expected from the Government is to run the canals for the protection against famine and for the benefit of the children of the soil.

With these words I support the resolution.

Lieut. Raja Hukm Tej Pratap Singh: I rise to support the resolution which has just been moved by my honourable friend Pandit Nanak Chand. He has thoroughly dealt with the points and I hope the members of this honourable House must have well realized the need and importance of this resolution. This question affects the zamindars and tenants mostly. The charges on the crops have grown more burdensome to the tenants and do hamper to a great extent in the sowing of sugarcane and other rich crops, but there are which at any cost have to be sown. It appears cruel to tax food stuffs so much as at present, such as wheat, rice, etc. The object of irrigation is to help the subjects of Government in providing facilities of agriculture where there is no water in order to make them more flourishing and it is justifiable to make a fair charge also for the water

[Lieut. Raja Hukm Tej Pratap Singh.]

supply to them, but not at such high rates which may become unbearable to the poor agriculturists. There is a general outcry on this point among the people affected, and I think that most of the members of this House who belong to the districts in which there is canal irrigation, know very well the general demand of their constituents. These poor tenants have no other means to earn their livelihood, and they have to depend entirely on agriculture in the extremes of heat and cold and yet they have to meet these enhanced rates. They find it very difficult to carry on. I will say this much that these taxes which affect the agriculturists may be reduced and some other tax which may be necessary, may be retained or imposed: I would say that all the prosperity of the country and Government wholly depend on agriculture, and in order to help that, I hope every facility will be provided.

With these reasons I support the resolution whole-heartedly as amended by Rai Sita Ram Bahadur.

Dr. Ganesh Prasad: It is with diffidence that I rise to speak on this amended resolution. As a matter of fact, I have as much sympathy with the question of the improvement of industries and agriculture as any one who comes from the rural areas. I think my friend the mover of the resolution could not avoid the temptation of having a little pinprick at me. I think when he was speaking about my likely attitude against improving industries with State aid he was drawing on his imagination. I have got here the report of the meeting of the Council held on the 31st of January, and it is very clear from my speech that I was not against State aid as such; I was only against the misuse of the power of certain officers in the matter.

As regards the desirability of reducing the irrigation rates, I suppose it is not possible now for us to make any reasonable remarks because it has practically gone beyond protest as the amendment has been accepted.

Rai Bahadur Lala Sita Ram: It will come again.

Dr. Ganesh Prasad: The only question is whether a reduction of rates can be made at a future date, when the Act has been so amended as to make it possible for us to make the demand. I suppose that after the remarks which the Hon'ble the Finance Member has made—I must admit he was very sympathetic—Government will proceed a step further and accept the amended proposition, because, after all the difference between what the Government is willing to do and the amended proposition is very little. Government probably is willing to take steps to meet the wishes of the House; if it accept the motion as amended probably further discussion would be avoided.

Chaudhri Sheoraj Singh: I rise to give my whole-hearted support to the amended resolution moved by my friend Pandit Nanak Chand. It is quite essential that the increased rates should be reduced. The prices of sugarcane and gram have been low and the wages have been high. My friends representing the rural areas very well know the difficulties of tenants and how these increased rates have been criticized. I hope the House will unanimously support the resolution.

Mr. H. David: I have some doubts on two points in connection with this resolution. It has been stated by the honourable mover that the

zamindars make most of the increased productivity of the fields by irrigation. If that is correct I do not understand why the zamindar or zamindars as is the Government should be refused a reasonable share in the increase of the profits. Up to this time I have heard only zamindars speaking for the reduction of the rates in favour of the tenants. I cannot understand with what face the zamindars can advocate a reduction of the rates and at the same time appropriate the profits when their own time comes. That is one thing, Sir. The other point of mine is this. The member from, not Meerut but Aligarh.

Rai Bahadur Lala Sita Ram : Both Meerut-cum-Aligarh.

Mr. H. David : The member from Meerut-cum-Aligarh has asked the honourable member to enter the rates in a schedule to the Canal Act, just as the rates are entered in schedules in the Court Fees and Stamp Acts. I do admire the magnanimity, as it is said, of the Hon'ble the Finance Member, but I fail to understand how it is possible, when the rates are once entered in black and white in hard and fast figures, to amend them when the circumstances demand either enhancement or reduction.

Pandit Nanak Chand : By an amendment of the Act.

Mr. H. David : We know very well the difficulties which we have in proposing Bills year after year, for introducing changes in the Court Fees Act and the Stamp Act. I think the same difficulties will arise when the figures are entered in the schedules in black and white. Therefore I think it is not very judicious that it should at all be entered in a special schedule by means of a Bill. The rise and fall in prices and the rise and fall in the value of lands change. They change every five years or every ten years. So I think it is somewhat a dubious course for the Government to enter the rates in a special schedule in the Canal Act. But it must be left to the discretion of the so-called executive whenever the time comes.

Therefore on these points I have doubts still. The zamindars have absorbed all the profits the tenants made from the fields under irrigation. I do not mean to say that they absorbed all. They take a good share of the profits and that is a very clear fact. Now whenever a zamindari is advertised for sale they prominently bring forward the fact that it is irrigated by canal. Then is it not fair that the Government should also participate in the increase of profits by a reasonable increase rates for irrigation ?

Mr. Muhammad Aslam Saifi : I have heard with amusement the novel proposition which has just fallen from the lips of my honourable friend Mr. David that once the figures are fixed and become hard and fast, they should be left entirely alone. I do not know whether the figures are very hard ; they may be fast on account of their colour which is generally a jet black colour. I notice as the amended resolution stands it does not go into the question of reducing the rates at once. But what the amended resolution requires is that the schedules should be attached before these rates are fixed and the question should be considered by the Council. I think on principle it is perfectly correct. I do not wish to go into the details after having listened to the speech of the Hon'ble the Finance Member because he has explained to a great extent the attitude of the Government

[Mr. Muhammad Aslam Saifi.]

Of course later on when this question is considered it must be considered in this light. As already pointed out, a committee which was appointed some time ago has also agreed to this principle. I give my support to the amended resolution.

Pandit Nanak Chand : I am very glad and thankful for the blessing of Mr. David to this resolution. It has been my delightful experience during the last three years that on many occasions Mr. David has blessed many a resolution in this House by his solitary opposition. On the present occasion it is amusing to see him a late member of the judicial side coming to the rescue of the "so-called executive" side, to use his own language. It was pointed out by my learned friend Dr. Ganesh Prasad that the question of reduction of irrigation rates has been abandoned. That is what I understood him to mean, by my accepting and by the Council accepting the amendment. I question the statement Sir. The question of reduction of irrigation rates has not been abandoned. It will be given effect to by the very terms of this amended resolution. I would not Sir, have accepted the amendment, had it not been for the unsatisfactory attitude taken up by the Hon'ble the Finance Member. I wanted by my resolution to leave the reduction of irrigation rates to the Government and then wanted them to take steps to bring the matter within the purview of the Legislative Council; but the unsympathetic attitude with which the Hon'ble the Finance Member dealt with this resolution and the conditions which he wants to impose in order to give effect to the substance of the resolution in the matter of reduction of irrigation rates led me to accept the amendment. I do not accept the remarks of the Hon'ble the Finance Member about cultivators raising several crops in all municipal areas as quite correct. The result of my accepting the amendment is that, if the Government accept the views of this House and decide to give effect to the recommendation incorporated in the amended resolution, they will bring forward a schedule before this House and I still hope that the Government will bring forward that schedule in a more sympathetic spirit. I hope they will still incorporate the reduction that they consider is fair . . .

Dr. Ganesh Prasad : May I rise, Sir, to clear my position. The honourable speaker has explained exactly what I had said. I did not say that the question of reduction has been put off till doomsday. I said that the question of reduction has been withdrawn for the present and will come up again later.

Pandit Nanak Chand : The personal explanation which has been given to the Council does not help me a bit. The question of reduction has not been put off by the amended resolution, but the very terms of the amended resolution, if the Government gives effect to them, will automatically enable the rates to be reduced without the question having to "come up again later" and separately. This Council passed a resolution for the reduction of rates last year. The Government did not give effect to it. My own resolution which I moved this morning intended that the Government should give effect to the same resolution. The Government did not consider it proper to do so. They conditioned and qualified their statement and the Hon'ble the Finance Member reduced it to a position which I believe is unacceptable to the non-

official members of this House. It was pointed out by the Hon'ble the Finance Member that the increase in prices is far greater than the rise in rates. I admit that, but the margin that is left over is subject to other influences, the question of rents and wages, for example. I also beg to submit that the prices of produce fluctuate from time to time, but the wages and rents after having risen do not easily fall back with the fluctuations in prices. It is a well known fact that prices are beginning to show a tendency to fall, and indeed in some places cultivators find it worth their while to take to labour and give up their holdings. If the Government is not aware of this state of things at present, it will come to know about it in course of time in case the Government continues to demand higher irrigation rates, and the zamindars higher rents, from the cultivators, and the result will not be quite desirable. With these words I whole-heartedly accept the amendment of my friend from Meerut and Aligarh, and hope the Council will accept it unanimously.

The Hon'ble Mr. S. P. O'Donnell: The honourable mover has referred to the recent fall in prices and has argued that that fall will not affect the wages.

Pandit Nanak Chand: I did not say that the fall in prices would not affect the wages. What I said was that the fall in wages would be very slow as compared with the prices.

The Hon'ble Mr. S. P. O'Donnell: I accept the correction. The honourable mover suggests that wages will fall very slowly in consequence of the fall in prices. Now in the first place, a large part of agricultural wages are paid in kind. They are therefore not affected by the movements of prices. Apart from that, I am informed that the fall in wages has already set in in Oudh at any rate, and it seems extremely probable that it will rapidly spread to other parts of the province.

For the rest, I wish merely to make the position of the Government clear. I am sorry the honourable mover has regarded my attitude as unsympathetic. I do not think that that is a fair description. But however that may be, it is desirable that the position of the Government should be made quite clear. We accept the general principle that these irrigation rates should be brought within the purview of the Legislature, but we can express no opinion at this stage as to the precise form which the legislation should take.

The resolution, as amended, was put and adopted.

RESOLUTION re DISCONTINUANCE OF SETTLEMENT OPERATIONS.

Khan Bahadur Hakim Mahbub Ali Khan: moved the following resolution :—

That this Council recommends to the Government that the preliminary work in connection with settlement operations already taken in hand should be discontinued till the Revenue Act of the province of Agra is duly passed and the question of enhancing the term of settlement is finally decided.

He spoke in Urdu.

Khan Bahadur Maulvi Fasih-ud-din: I want a ruling as to whether I can speak in vernacular or in English.

The Hon'ble the President : The honourable member may in the circumstances speak in vernacular.

Khan Bahadur Maulvi Fasih-ud-din : I want to speak in English. There are many settlement terms which I wish to introduce into my speech. I rise to give my whole hearted support to this resolution. I think that the question of the postponement of settlement is a question of very vital importance; it is a question as it were of life and death not only for the zamindar but also for the tenant, but at the same time it is a question which from the point of view of the Government involves a heavy loss caused by foregoing the anticipated increases in the revenue of the various districts. Let us, therefore, consider this question in a very cool and dispassionate manner. I know, Sir, that in politics often the person who carries on a debate claims that the view which is held by him is perhaps the only view which ought to be held by the rest of the world, but I can assure the Council that we are all unanimous in this particular matter, whether we be Hindus or Muhammadans or Swarajists or co-operators, whether we be in the Council or outside it. For the satisfaction of the Government let us show whether it is going to gain substantially by the revision of settlements if legitimate and proper methods are adopted. I am presently moving another resolution in respect of my own district of Bahum, and I will show that the methods now adopted for making an estimate of the new revenue are essentially faulty in principle. I will try to show that if the methods suggested by me are adopted in the calculation of the new revenue to be gained by a resettlement many of the districts will not have the misfortune of getting their revenue revised. I had put in a resolution at the last session of the Council recommending to Government to represent to the Government of India to extend the present term of settlement to half a century, but on the assurance of the Hon'ble the Finance Member I withdrew my resolution. In fact the fight about long term settlement has been going on for the last four decades. A similar resolution was brought before the Council last year and it was unanimously passed, but with no result at all. I withdrew my resolution simply because I thought I had gained some ground in the assurance of the Hon'ble the Finance Member, indefinite though it was. The most that can be said about it is that it tantamounts to this, that the Government will favourably consider the question of fifty years' settlement along with the question of the fixity of cultivating tenures at the time when the new Tenancy Bill is brought before the Council. I think this is a very great vantage ground that I have secured in connection with this fight over the long-term settlements.

Lient. Shaikh Shahid Husain : On a point of order, Sir, if this resolution is passed will the resolution of my friend Maulvi Fasih-ud-din be taken up?

The Hon'ble the President : As far as a hypothetical question can be answered I should say "No".

Khan Bahadur Maulvi Fasih-ud-din : Whenever a district is ready for resettlement we know that the first shell which is launched in the campaign of the settlement is the report of the Deputy Director of Land Records. This report undergoes the ordeal of criticism of the Board of Revenue. The whole of this literature is then published in the local

Gazette for inviting public opinion. It is very seldom that this opinion is at all expressed and even this expression of opinion is brushed aside in the face of the opinion of the official expert. This has been the case with regard to Budaun itself. The Deputy Director of Land Records, after the usual mathematical process, works out the enormous figure of Rs. 19,50,000 as the new revenue to be gained by re-settlement. The Board of Revenue, however, cuts down a few items, for instance the Board of Revenue cuts down Rs. 29,000 from the rental of occupancy tenants in Bisauli and reduces the *sawai* demand from Rs. 20,000 to Rs. 15,000. At the same time the Board increases the deductions for self-cultivated *sir* and *khudkasht* and also for short collections by Rs. 27,000 and Rs. 80,000 respectively. At the same time however the board reduces the deductions for new irrigation works from 2 lakhs to 40 thousand. I submit that the procedure is contrary to all rules. The board gives two reasons for this reduction. One is this that the last Settlement Officer did not grant any reductions of this kind. But I submit that when the rules do provide that deductions should be made on the cost of new irrigation works, there is no reason that the procedure adopted by the last Settlement Officer should be followed. The other reason given by the board is that in Budaun a large number of wells are used for drinking purposes. But I find that the Deputy Director of Land Records admits that as many as 65,000 new irrigation wells have been made since the last settlement and thus in my opinion the action of the board is not justified by facts and the estimate of 2 lakhs of rupees rather errs on the side of leniency. The net result of all the changes that have been made by the board is that the board's assets are slightly higher than given by the Deputy Director of Land Records. But as the board reduces the percentage of assessment of the Deputy Director of Land Records from 47 to 45 the revenue estimated by the Board therefore goes down to Rs. 19,08,000 instead of Rs. 19,50,000 as alleged by the Deputy Director of Land Records. But even this increase of about 6 lakhs of rupees in the existing demand comes to about 44 per cent. of the old revenue and I shall now show that the methods adopted by the Deputy Director are very wrong in principle. If I succeed in doing so I will not only have the preliminary operations of the Budaun settlement postponed, but I trust that the other districts too will be equally benefited. But before I enter into a discussion on the subject I wish to point out the real condition of the district which is now commanded to pay an increase of 6 lakhs of rupees, that is 44 per cent. over the existing demand.

The Hon'ble the President: The honourable member has only three or four minutes more for the discussion.

Khan Bahadur Maulvi Fasih-ud-din: I am very sorry. I want to discuss all these methods if you grant me more time and to prove that if the new revenue is to be estimated according to the methods I suggest, there will be practically no increase even in the case of Budaun, not to speak of other districts.

The Hon'ble the President: I have permitted the honourable member to continue his speech, but it is extremely obscure to me what connection the detailed criticism of the forecast has with the postponement of operations until a decision is reached about the term of settlement. The resolution before the Council is for the discontinuance of preliminary

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work in connection with settlement operations until the question of the term of settlement is settled.

Khan Bahadur Maulvi Fasih-ud-din: I want to bring out that if proper methods are adopted and if defects are taken into consideration and the fact that the present high competitive rates are unsuitable to form the basis of the revision of the settlement, then not only on the ground of the assurance of the Hon'ble the Finance Member but also on this ground the revision should not be allowed. That is my object. I wish to bring out that the present rents as they stand form a very unsuitable basis for assessment.

The Hon'ble the President: The present rents are not likely to be changed in 18 months.

Khan Bahadur Maulvi Fasih-ud-din: The chief point which I want to bring out as regards the methods of these assessments is that the Deputy Director of Land Records generally in the case of all the districts takes as the basis of assessment not only the rents paid by the tenants of 20 years and over but also the rents paid by tenants of 12 to 19 years, though under the present rules he should take into consideration only the rents paid by tenants of 20 years and over, and this procedure which is adopted by the Deputy Director of Land Records brings about an unduly enhanced amount of assets and consequently an unduly swollen estimate of the new land revenue. I do not see any reason why the present practice of taking the rents paid by tenants of 20 years and over as the basis for assessment should be departed from. I admit that by doing so the Deputy Director of Land Records gives this benefit to the landlords that he enhances the rents of the declared occupancy tenants considerably, but at the same time he increases the valuation of the assumption area of the zamindar. Thus on one side the zamindar gains substantially in the matter of enhancement of rent, he loses very heavily in the matter of the valuation of his *khudkash*, his *sir*, his grain-rented area, his *muafi* land and unrented land in the village by the valuation of these areas at these high circle rates, and I think that this method is not only unjust but inequitable. By adopting the correct method in Budaun I found out that the increase in the revenue of Budaun was nominal and that it did not come to anything like 19 lakhs of rupees as alleged by the Deputy Director of Land Records. I therefore think that if this method is adopted in the case of all the districts, the Government will come to know that it is not gaining any increase in the revenue. So I submit that there is no justification, apart from the fact that the Hon'ble the Finance Member gave us an assurance, at all for adopting these high circle rates and basing the assessments on the competition rents. I believe that this idea of departing from the present rule is based on a suggestion of the Settlement Committee which says that as the standard of competition rates is much above the level of the standard rates therefore the rates of the circle officer should take into account not only the rents paid by tenants of 20 years and over, i.e., statutory tenants, but also the rents of the tenants of 12 to 19 years. We will know what all this means when we consider the fact that no zamindar will ever allow any tenant of his to go beyond the barrier of 11 years unless he pays rack-rent.

The only party which in my opinion gains by this process is the Government. That is why I submit that this point should be taken into consideration in the case of the districts which are now undergoing the preliminary operations of settlement, and if the Government finds that it does not gain very substantially by carrying on the revision of the settlement it should give up the idea, especially in face of the promise that was made by the Hon'ble the Finance Member. The honourable member said:—"If we agree to the fixity of the cultivating tenures, the Government is prepared to consider the question of a long term settlement favourably." I for one am very strongly in favour of giving more rights to tenants, because a happy and contented peasantry ought to be the pride of any country and for that reason I think there will be no difficulty in the way of the Government in our assent to any increased privileges for the tenants. If that is so, I see no reason why the preliminary operations should be allowed to continue. They involve an unnecessary expenditure, and, as the honourable mover has just remarked, there are only two alternatives—either we will be unlucky enough not to have the existing term extended or we will get it extended. In the first case the Government can begin again . . .

The Hon'ble the President: The honourable member must conclude.

Khan Bahadur Maulvi Fasih-ud-din: . . . and in the other case will save so much expenditure which is now being incurred on these preliminary operations.

The Council here adjourned for lunch. After the adjournment the Deputy President took the Chair.

The Hon'ble Mr. S. P. O'Donnell: I do not propose to accept the invitation of the honourable mover that I should address the Council in the vernacular. I appreciate the compliment which he has paid to my knowledge of that language, though I fear his opinion is not shared by my other Indian friends. I do not think I should be able to do justice to the subject in any other language but my own.

Settlement or record operations—the two are of course not identical—are at present in progress in seven districts. In one district, Muttra, the settlement is approaching completion; but, as I explained to the Council recently, the object of re-settlement there was not an enhancement of revenue but a re-distribution, and it is anticipated that the revenue assessed will be less than that fixed 45 years ago. In Agra similarly the object is re-distribution. The settlement of that district has already been postponed for 10 or 20 years. There are three other districts in which record operations are going on—not settlement operations. In two districts only are settlement operations in progress, and there they have been only just begun. It is clear therefore that whatever decision may be reached regarding the normal term of settlement, it is not practicable to stop the operations in the five districts. As I have said, the object in Agra and Muttra is re-distribution and in the three other districts the operations are record operations. Whatever the decision may be regarding the normal period of settlement and the other proposals made by the Settlement Committee, or in the minutes of dissent the report of that committee, it is essential that there should be a revision of records. We have had

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such revisions of records even in permanently settled districts and there is a periodical revision of records in Bengal where there is a permanent settlement. In Oudh there is the additional reason for a revision of records that this is necessitated by the new Oudh Rent Act. As regards the other two districts in which operations are in progress we cannot agree to postpone these operations, because that in our opinion would commit us in regard to a very difficult question on which at present we are not in a position to formulate our conclusions. But, as I have said, these operations have only just begun. There will be no question of sanctioning any assessments for some considerable time to come. We have undertaken to examine all the proposals of the Settlement Committee in connection with the Agra Tenancy Act, we should be in a position to form our final conclusions before next cold weather and in any case we recognize that whatever decisions may be arrived at on these general questions must be applied also to the new settlements which are in progress in these districts.

Khan Bahadur Maulvi Fasih-ud-din referred in particular to the district of Budaun, and he criticized the forecast of the Deputy Director. The honourable member sent in in connection with that forecast a carefully reasoned criticism. That criticism I can assure him has received the most careful considerations. I do not propose to go into the technical question raised by him for two reasons. First, after all the forecast is nothing but a forecast. Any proposals of the Settlement Officer, should one be appointed, would have to be published under the new procedure for criticism by the public so that the public will have ample opportunity to criticize these proposals. Secondly, as I have said, in that district the operations are not settlement operations but only record operations, and it is essential that we should have a revision of records. There will be ample time before the question of the appointment of a Settlement Officer arises to reach our final conclusions regarding the general questions raised by the Settlement Committee on the extension of the period of settlement, the method of calculating assets, etc., and we recognize of course that whatever decision may be arrived at must be applied to the new settlements of those districts in which either survey or settlement operations are in progress.

Mr. Sangam Lal rose and commenced speaking in the vernacular.

Hafiz Hidayat Husain: I rise to a point of order. I cannot follow the speech of the honourable member in the vernacular which he is employing.

The Deputy President: The Hon'ble the President has already given a ruling, and I therefore permit members to address the House either in English or vernacular as they like, but I would request them to use a language intelligible to all members.

Nawabzada Muhammad Yusuf: The ruling of the Hon'ble the President is that as the honourable mover has spoken in Urdu therefore other speeches may be in Urdu also, but my friend is speaking in Bhasha and I cannot follow him.

Mr. Sangam Lal continued.

Khan Bahadur Hakim Mahboob Ali Khan rose to a point of order to the effect that if the honourable member employed a language unknown to him there should be an interpreter.

The Deputy President : It is not possible to arrange for an interpreter.

Urdu speeches were made by Thakur Har Prasad Singh, Lieut. Shaikh Shahid Husain, Rai Bahadur Thakur Mashal Singh, Rai Bahadur Babu Ram Nath Bhargava and Rai Bahadur Lala Sita Ram.

The last named, however, afterwards relapsed into English.

Rai Bahadur Lala Sita Ram : I will repeat my question in English as I find that the Hon'ble the Finance Member, in spite of his having earned a reward for high proficiency in Urdu is not perhaps able to follow me quite and as I desire the reply and my question to go on record in the proceedings.

What I wish to inquire is whether the Hon'ble the Finance Member will be pleased to let us know if, in case Government decides to extend the period of settlement beyond 30 years, the districts in which settlement is pending at present will or will not benefit by the extended term. The second point which I wish to inquire about and which I would ask the Hon'ble the Finance Member to elucidate is whether the percentage of assets, that is, between 35 and 45 per cent. that has been laid down by the Settlement Committee, in case that percentage is acceptable to Government, will the districts in which settlement operations are pending at present benefit by the lower percentage or not.

The Hon'ble Mr. S. P. O'Donnell : I am sorry if I did not make myself perfectly clear or gave rise to any misunderstanding by my remarks. So far as the percentage of assets is concerned we recognize that whatever decision is arrived at that decision must apply to all new settlements, including those of the districts which are under settlement at present. But as regards the extension of the term of settlement there are two cases to be considered. There is the case of the existing settlements. I have undertaken that we shall consider the proposal that the term of these settlements should be extended. I have also said that we will take into consideration the general recommendations of the Settlement Committee in connection with the Agra Tenancy Act. I must not be understood, however, as meaning to say that if we should decide that any future settlements made are to be made for a longer term than 30 years that that decision would imply the extension of the term of the existing settlements. If I said anything which has given rise to that impression, I hope I have now made our position clear. There is the question as to the period for which future settlements are to be made. We will consider that question along with the other proposals of the Settlement Committee. But it is quite another question whether the period of the present settlements should be extended. That is an entirely different matter. I pointed out to the Council the other day the difficulties regarding that particular proposal. I also pointed out that the decision did not rest in our hands. The ultimate decision rests with the Government of India. At the same time, I said that we would consider the arguments which have been urged in favour of the extension of the term of the existing settlements. The two questions, let me repeat, are quite distinct. It does not

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follow that if we decide that in future settlements should be made for a longer period than thirty years, that decision would carry with it the decision that the term of the existing settlements should be extended. On the other hand, we do recognize that any decision which is taken regarding the percentage of assets, and the methods on which assets are to be calculated, would apply as far as possible to those settlements which are now in progress.

Rai Bahadur Lala Sita Ram: I quite understand what the position of the Hon'ble the Finance Member is. What I wish to know is, whether in those districts, e.g., the districts of Unao, Partabgarh or Budaun, where settlements are pending, Government will be able to arrive at a decision as regards the term of settlement by, say, the end of October? If Government is able to arrive at a decision that the term of settlement should be forty years or thirty-five years, will the benefit of that term be given to those districts? Or will Government's decision only benefit the districts where settlements may take place after October and will have nothing to do with districts where settlement operations are pending?

The Hon'ble Mr. S. P. O'Donnell: My point is, supposing it should be decided that the normal term of settlement should be extended, then that decision will apply to the new settlements which are in progress in those districts (Partabgarh, Unao, etc.). That is to say, the fresh settlement could in that case run for a longer period. Whether the existing settlements should be extended or not is quite a different matter.

Rai Bahadur Lala Sita Ram: What is the Hon'ble the Finance Member's position as regards that?

The Hon'ble Mr. S. P. O'Donnell: I explained that these two are quite distinct questions. If it is decided that the normal term of settlement should be extended, then any fresh settlements that are made in these districts (Unao, Partabgarh, etc.) would be for the extended period. But it is quite a separate question whether the existing settlements of those or any other districts should be extended or not. On that question the utmost I can say is that we are prepared to consider the arguments which have been urged in favour of an extension.

Hafiz Hidayat Husain: I beg to move for the closure of the discussion. We have had it for over three hours and the same arguments have been repeated over and over again.

The Deputy President: I accept the proposal and call upon Khan Bahadur Hakim Mahbub Ali Khan to reply.

Khan Bahadur Hakim Mahbub Ali Khan replied in Urdu. During his reply the Hon'ble the President resumed the Chair.

The Hon'ble Mr. S. P. O'Donnell: I wish merely to repeat what I have just said in reply to certain questions, because I do not wish that there should be any misapprehension regarding the attitude of the Government. We do recognize that whatever decision is taken regarding the normal period of settlement, or the percentage of the assets normally to be taken, or the methods by which assets should be calculated, must apply to the new settlements now in progress. But that is quite a distinct question from the question of extending the term of the existing settlements.

As regards that question, all that I can say, as I said before in the earlier debate, is that it is a very difficult question, and the utmost that we can say is that we shall be prepared to examine the arguments in favour of such an extension.

The resolution was put and adopted.

RESOLUTION *re* HOLIDAYS IN EUROPEAN SCHOOLS.

The following resolution standing in the name of Rai Bahadur Babu Vikramajit Singh was withdrawn :—

“That this Council recommends to the Government to direct all European public schools in the United Provinces of Agra and Oudh to observe the important Hindu and Muhammadan festivals as closed holidays.”

THE DISTRICT BOARDS (AMENDMENT) BILL.

Hafiz Hidayat Husain : I ask for the leave of the Council to introduce a Bill to amend the District Boards Act, 1922.

The reasons for the introduction of this piece of legislation I have given in the preamble as well as in the Statement of Objects and Reasons which I have attached to the proposed bill. Briefly put, my reasons are that I want as much facility to be given to the Muslim candidate for election to the District Board as has been given to the non-Muslim candidate. I would just ask the Council to bear with me for five minutes to enable me to show that certain privileges allowed to a non-Muslim have been denied to a Muslim in the District Board elections. Under section 10 the Collectors are asked to prepare two separate lists of electors for each circle, namely—

- (1) a general electorate roll showing all qualified non-Muslim electors,
- (2) a Muslim electoral roll showing all qualified Muslim electors,
- (3) when a Muslim constituency consists of more than one circle, the Muslim electoral rolls of all the circles included in the constituency shall together form the Muslim electoral roll of the constituency.

Under section 11 every tahsil shall be divided into as many circles as there are members to be elected by the general electorate. Each circle shall form a single constituency for the election of one member by the general electorate.

The local area of each constituency for the election of representatives by the Muslim electorate shall be prescribed by the Government. Provided that such an area shall consist of one or more entire circles.

Then in section 12 it says :—

- (1) Subject to the exceptions stated in sub-section (2), every person enrolled as an elector in the general electoral roll shall be qualified for election in any circle in the tahsil in which his name is enrolled, and every person enrolled in the Muslim electoral roll shall be qualified for election in the constituency which includes the circle in which his name is enrolled.

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It follows from this that if a tahsil is divided into four circles, then any non-Muslim candidate enrolled in any circle could seek election in any other circle of the tahsil. But if two Moslems are required to be elected from all these circles forming two constituencies of the entire tahsil, a Moslem can only stand in the constituency in which his name has been enrolled and not in the other. It is to remove this anomaly that I have brought forward this amendment of the Act.

Mr. Mazud-uz-Zaman: May I rise to a point of order. Are we allowed to introduce a discussion on the Bill at this stage or is it merely leave to introduce the Bill that is asked for?

The Hon'ble the President: The honourable member from Bundelkhand is quite correct. The mover has only to ask for leave to introduce his Bill. He is, however, making a few remarks, I understand, by way of explanation. I do not know that there is exactly opposition to the measure, but there is some desire I believe on the part of the Government to make a statement that though they are not opposed to the principles of the Bill, they are opposed to some points connected with it. That is why the honourable mover has been allowed to explain to some extent, but the explanation must be very brief. It is only when there is opposition that an explanation is required at all.

Hafiz Hidayat Husain: I have almost finished.

It appears to me that there has been a certain amount of oversight in this matter. Therefore I ask for leave to introduce this Bill which says that for the following words in section 12 of the Act, "and every person enrolled in the Muslim electoral roll shall be qualified for election in the constituency which includes the circle in which his name is enrolled" the following words be substituted:—"and every person enrolled in the Muslim electoral roll shall be qualified for election in any circle in the tahsil which includes the circle in which his name is enrolled, provided that if the local area of any constituency for the election of representatives by the Muslim electorate consists of more than one circle falling in more than one tahsil, every person enrolled in the Muslim electoral roll shall be qualified for election in any circle in the tahsil or tahsils which include the circle in which his name is enrolled."

The Hon'ble Rai Rajeshwar Bali: I do not propose to oppose the introduction of the Bill. But there are certain defects in the language which the honourable member has used in the Bill. Certain alterations will have to be made. I reserve my remarks to the time when the Bill will be considered.

The Hon'ble the President: The question is that leave be given to introduce a Bill to amend the District Boards Act, 1922.

The motion was adopted.

Mr. Masud-uz-Zaman: As the Bill has been introduced will it be allowed . . .

The Hon'ble the President: It has not been introduced.

Mr. Masud-uz-Zaman : Now that leave has been given will it be allowed to suggest that a sub-committee be appointed.

The Hon'ble the President : The honourable member should make himself acquainted with the rules outside the chamber. When a day is allotted to an honourable member to introduce a bill he may on that day make a motion either for the consideration of the Bill or that it be referred to a select committee. I do not know what is in the honourable mover's mind. If he moves for the consideration of the Bill it will be open to the honourable member for Bundelkhand to move that it be referred to a select committee.

Hafiz Hidayat Husain : Sir, with your permission I beg to introduce the Bill.

RESOLUTION *re* TREATMENT OF APPLICATIONS FOR BAIL.

Pandit Brijnandan Prasad Misra : The resolution that I desire to move runs as follows :—

"That this Council recommends to the Government to issue strict orders to the magistrates in these provinces not to be prohibitive in fixing amounts for bail nor to impose unreasonable restrictions on the acceptance of sureties nor to send the bail applications to other magistrates for inquiring into the circumstances of the intending sureties instead of inquiring into such matters then and there."

I think this honourable House will be convinced of the reasonableness of my demand. I do not think it requires to be convinced that I am not asking for anything which does not already exist in the laws upon the statute-book or which is not to be found in the rulings of the High Court. But the regret is that, in spite of those very clear rulings, magistrates in these provinces generally disregard them and act in contravention of their spirit. It is on this account that I have been compelled to bring this resolution before the House. At this late hour of the day I would not be justified in imposing a lengthy speech on this House. Therefore I would try to present my case before the House by citing only a very small number of instances which I have got in my possession. The instances are not rare. I would however be content by simply citing a few instances from my district and one or two from others for the purpose of showing that it is not only in the sleepy hollow of my district that such instances occurred but that similar instances are also rampant elsewhere. When I found this evil gaining strength in my place I put a question and that question was replied *ad interim*, and a proper reply was supplied to me on the 29th January, 1923, and the reply I received from the Government was—I will read that part only leaving the rest—it is part (e) of question No. 28 of the 8th November, 1922.

"There were no special reasons. It must be remembered that it is not sufficient that a surety is respectable; he must also have sufficient property and it was for the purpose of verifying the sufficiency of the security offered that the applications were sent to the Tahsildars."

This is only in respect of one of the evils, *viz.*, the evil of sending the bail application of the sureties for being verified regarding the circumstances of the sureties by the lower courts.

I have in my resolution asked for three things. One of these is that the orders that are issued to magistrates must expressly lay down

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for the guidance of those magistrates that they should not impose prohibitive sums in fixing amounts for bails and that they should not impose improper restrictions relating to the status of the sureties. Further, what my resolution requires is that the application for bail should not be sent to the lower court for the purpose of inquiry when the trial court itself might very well ascertain the respectability and status of the persons who offer to stand surety. In fact sureties are demanded from the accused persons particularly for two reasons, viz., first, for the purpose of securing the presence of the accused on some future date to which the case is postponed for hearing and, secondly, for the purpose of keeping the accused for a particular period of time on good behaviour. That comes under sections 107, 108, 109, etc. of the Criminal Procedure Code.

In other cases the rulings are very clear that the amount of security which is fixed by the court should not be very prohibitive. Prohibitive amounts are fixed because if such amounts are asked the accused in certain circumstances cannot provide the security and the result is that he loses the advantage of benefiting by the section for providing security. I have seen instances, and I think my lawyer friends who are here will bear me out, that at times courts have been seen fixing amounts of security not according to the capacity of the accused, but according to the enormity of the crime. This perhaps was not the intention of the Legislature. Any court which fixes a large sum is absolutely unreasonable in doing so.

The second point is that when courts lay any special restrictions upon the class of sureties. That also is a thing which is not justified by law, for when you only want a certain sum to be fixed it is not necessary to see from what quarter the sum or the surety comes. You are only to see that on breach of a particular condition—say for instance, if the accused does not turn up on the date fixed, or if the accused does not continue to be of good character—the sum may be forfeited. If the penalty is forthcoming, the magistrate need not necessarily look into the quarter from which the sum comes. Your putting any restriction as to the nature and status of the surety is also an injustice. It must be removed.

The third thing applies to the course of fair trial and this leads to one more complication. The complication is caused thus: When the applications are sent to the lower courts by the trying magistrate for the purpose of inquiry, the general result is that the person who would otherwise be let off on the same day is generally put into the prison to which he would not ordinarily be sent if the trying magistrate himself goes into the inquiry instead of sending it to some other magistrate. I would as an instance state a particular case in which the person was convicted under section 108. He was asked for a security of Rs. 200 and the court ordered that the surety of two zamindars should be found. The person secured two sureties. The accused himself was a zamindar and paid Rs. 1,000 land revenue. When the sureties made an application before the trying Magistrate, the Magistrate ordered an inquiry to be made and sent the bail application to the tahsil Magistrate for the purpose of inquiry into the circumstances of these sureties. The accused

was not satisfied with this and the sureties immediately made an application to the District Magistrate setting forth all the circumstances. The District Magistrate also, seeing the reasonableness of the demand, wrote to the trying Magistrate, *viz.*, the Sub-Divisional Officer of Pilibhit, and I quote his words—"If you have no doubt that these men can offer the required security, there is no need to obtain corroboration by inquiry from the tahsil." Even in spite of this writing the Magistrate sent the bail application to the tahsil, and the result was that this person who had been paying land revenue of Rs. 1,000 himself had to be kept in prison for a day and it was only one day after that he was let out. This is not a solitary instance. Instances of this sort might be multiplied. I have myself got some instances in my mind and other honourable members might have instances in theirs, and therefore I think I need not dilate upon this point. Some District Magistrates have got very strange whims, leaving aside the Sub-Divisional Officers. I put a question—a funny question indeed—in respect of a District Magistrate on the 26th October, 1923.

"Is the Government aware that Mr. Mehta as the District Magistrate of Etah enhanced the amount of security from Rs. 500 to Rs. 1,000 of the accused in the case of King-Emperor versus Keshab Deva under section 110 on the 27th December, 1922."

The Hon'ble the Home Member replied, as he usually does, that the Government had no information on the subject. This is perhaps the strangest instance. I think a District Magistrate has absolutely no right to enhance the amount of security which is demanded by a Sub-Divisional Magistrate. But the Magistrate of Etah went beyond his power and asked an enhanced security.

Without further citing instances, I would ask the House to consider the difficulties into which the accused are thrown on account of the peculiar whims and caprices of the trying Magistrates. I am not asking for anything which is not already provided for in the law. The only thing I require is that if instructions are issued to these Magistrates their mad course would be prevented. If instructions are issued, Magistrates would by no means be hampered in their work. I do not want that their discretion should be fettered. I do not say that they should be interfered with in their judicial work. I only want that in the exercise of their discretion they might not proceed on very blind and unreasonable lines. It is on that account that I have brought this resolution before this House. With these words I commend it to the acceptance of the House.

Thakur Hanuman Singh: I rise to give my whole-hearted support to the resolution which has been very ably moved by the member for Pilibhit. I think there is not much which can be added to what he said. The resolution is an innocent one and I think the Government will not object to accept it.

There is one thing which I may suggest, and it is this that when the Government may be pleased to issue instructions or orders to the Magistrates, those instructions or orders should also provide for the fact that the appellate courts when trying any case should see that the orders have been complied with by the lower courts. Without the supervision of the appellate courts, the orders which will be issued will remain a dead letter.

Mr. C. E. D. Peters : When I read the resolution of the honourable mover, it seemed to me at first sight reasonable, but on reading certain sections of the Code of Criminal Procedure, I realized that the instructions for which the honourable mover was asking were already contained in the law.

If the honourable mover will look at section 498 of the Criminal Procedure Code he will find that the amount of every bond executed under Chapter XXXIX of the Criminal Procedure Code, "shall not be excessive." Similarly, if he will refer to Chapter VIII, which deals with the prevention of offences, he will find that in proviso (2) to section 118 it is laid down that the amount of bond which an accused person may be called upon to execute, "shall be fixed with due regard to the circumstances of the case and shall not be excessive." Thus, the first part of the resolution is met by the substantive law.

His second point is, that no unreasonable restrictions should be imposed on the acceptance of sureties, and the honourable mover has asked the Government to issue strict orders to magistrates on this point. In this connection if the honourable mover will refer to section 122 of the Code of Criminal Procedure, he will find that the Legislature has already imposed the responsibility of refusing to accept any surety, that is to say, of deciding whether he is a fit surety for the purpose of the bond, on a magistrate, and this fixation of responsibility or discretion, I think, disposes of the second part of the resolution.

In the third part of his resolution the honourable mover is asking the Local Government to deprive magistrates of the power which has been conferred upon them by the Legislature of remitting applications from sureties to other magistrates for an inquiry into the circumstances of the intending sureties, and to insist on their enquiring into such matters themselves then and there. If he will look at section 122 he will find a proviso that the magistrate before refusing or rejecting any such security shall either himself hold the inquiry or cause such inquiry to be made by a magistrate subordinate to him. If the Government were to issue the order asked for by the honourable member, I apprehend that the order will be in restriction of the powers of magistrates with which they have been invested by the Legislature. For that reason I think the Government should not issue the orders to magistrates as asked for by the honourable mover. The points he raises are either covered by the substantive law or contrary to it. Even if it were possible for Government to issue orders to supplement the law or to curtail the law as contained in these sections, it seems to me that it would be extremely difficult to draft any orders which would meet the vast complexity of cases that come before courts. The Code lays down that the security should be fixed in accordance with the circumstances of the case. It will be extremely difficult, if not impossible, to frame orders so as to cover the many different types of cases and circumstances that come before the courts. There would be a serious risk of the orders being misinterpreted; and the unfortunate result might ensue that the magistrates, who are responsible for the public peace, endeavouring to comply with what they conceived to be the orders of Government, might, to the exclusion of the provisions of the law, and against their better judgement, release on inadequate security, or without adequate inquiry, persons who in the interests of the public peace and order should be

subject to seclusion or restraint. For these reasons I would oppose the motion.

Pandit Brijnandan Prasad : Will the Hon'ble Judicial Secretary tell me whether there are already instructions in respect of one or all the points raised in my resolution ?

Mr. C. E. D. Peters : If there were any such instructions I should have known them. It was in one case only that instructions were given to supplement the substantive law.

Rai Bahadur Babu Vikramajit Singh : It appears that the Judicial Secretary has not appreciated the resolution which has been put forward by the honourable member from Pilibhit. There seems to be some misconception with reference to the resolution itself. If the Judicial Secretary had taken account of what has been going on in the districts on the question of bails and securities probably he would have thought that the resolution was an innocent one and there was no harm in accepting it. We are all aware that in many cases the powers given under these sections are abused. It is all very well to say that the law lays down a particular thing. If the magistrate acts reasonably and with due regard to circumstances then there would be no question of a resolution of this nature being brought before the House nor would there be any question of hardship. It is common knowledge that provisions of the law are being disregarded. The letter of the law is respected but the spirit is broken. The magistrate in cases where bail ought to be taken knows very well that he has no right to reject an application for bail, but where he wishes that the man should remain in jail, in spite of the fact that the law allows him bail, he fixes a very prohibitive bail and the result is that the man has to go to jail unless that order is set aside by the higher authority. In cases under section 107 or section 110 the magistrate sometimes fixes such a high amount that it is impossible for the accused to give it and the result is that he has to go to jail instead of being let off on his finding securities. In order to safeguard these things this resolution has been brought by the honourable member from Pilibhit. The intention merely is that the Government may be able to supervise and to see that the magistrates work carefully and that they do not disregard the provisions of the Code, and if orders, as are desired in this resolution, are issued and if any gross cases are brought to the notice of the Government they might deal with them. I think that, so far as the chapter and verse of the Criminal Procedure Code are concerned, they must be within the knowledge of the honourable mover, who belongs to the legal profession and of many other members of this House. But it is surprising that any member of this House would not know that abuses exist in working these sections. Therefore, I think that there ought to be no hesitation in accepting this resolution, which does not want the abrogation or the alteration or the modification of any existing law. It merely invites the attention of the magistrates to make a more reasonable and sound view and to impress upon them that the Government will take notice of their action. I therefore support the resolution.

Pandit Nanak Chand : I rise to give my hearty support to the resolution moved by my friend from Pilibhit. It was only yesterday that the Hon'ble the Finance Member pointed out in connection with another resolution moved by the same honourable member that they had

[Pandit Nanak Chand.]

to draw the attention of Government servants to the Government Servants' Conduct Rules. I think it was to rule 17. But certain facts came to the notice of the Government and the Government by special instructions drew the attention of all Government servants to that rule. It could be argued that those instructions were superfluous and the Government need not have issued those instructions. But the Government thought it necessary to draw the attention of the erring officials to the existence of that rule in the Government Servants' Conduct Rules. In this resolution nothing more is wanted. The substantive law is there, as has been pointed out by the Judicial Secretary, if I did not misunderstand him, as he was somewhat inaudible on this side of the House. What is wanted by this resolution is that the attention of the magistrates should be drawn to the provisions of the law.

The Hon'ble Mr. S. P. O'Donnell : That is not the resolution.

Pandit Nanak Chand : I understood the Judicial Secretary to mean that there is substantive law which is almost identical with the resolution.

The Hon'ble Mr. S. P. O'Donnell : The resolution asks to issue strict orders to magistrates and not merely to draw their attention.

Pandit Nanak Chand : I am grateful to the Hon'ble the Finance Member for having pointed out the difference on which the Government is opposing this resolution. If the Government thinks that it cannot issue strict instructions or strict orders let it be more instructions or mild instructions or a circular letter drawing attention to the existence of these provisions in the Act. This, I presume, would meet the requirements of the case and I think the honourable mover will be quite satisfied if the Government is prepared to give that clear undertaking. I am glad that the mover of the resolution gives his consent to accept the undertaking that may be given by the Government. The object of the resolution has already been pointed out by the learned mover and the honourable member for the Chamber of Commerce. It is very often felt that some magistrates—I do not want to make a sweeping remark about all magistrates—sometimes at least adopt a very vindictive attitude while dealing with the cases of some persons, and they try to put all sorts of hardships in the way of the accused before them. This resolution only wants that such magistrates should not be so oppressive upon the accused in the matter of bail. I have come across cases in which provisions of the Criminal Procedure Code were simply flouted, sometimes judgments are delivered just when they were going to leave the court late in the evening when they knew that the accused could not go that day to any higher authority in appeal against their order.

The Hon'ble the President : It is not the Criminal Procedure Code that is being discussed here. There are a large number of sections in that Code.

Pandit Nanak Chand : I am only referring to these cases.

The Hon'ble the President : The question of bail only is before the Council. I understood the honourable member was discussing judgments delivered late in the evening.

Pandit Nanak Chand : When they announce their judgment and pass an order regarding a person liable to give bail or who could give bail and when sureties are brought before the court, they sometimes put it off on the ground that the names of sureties will go to the tahsildar for verification before bail could be accepted. If such methods are not adopted and if such orders are passed earlier in the day, in some cases at least, the accused could get the reliability of his surety verified before the court rose for the day and thus they would be saved from the trouble and dishonour of being locked in hawalat for at least one night. I also know of cases in which the original notices issued were for smaller amounts, which were subsequently raised when either it was found that the accused were in a position to furnish the required security or when it was intended to make it extremely difficult, if not impossible, for the accused to be let out on bail. I have also had occasion to know of cases where I believe people were bound down not with a view to keep the peace, but to bring pressure on them and to prevent them from pursuing their rightful and legal remedies against certain persons. I would not like to go into the details of the case, but I know of a case in which there were two parties: one a big influential zamindar and the other a number of tenants from some villages. The litigation has led them thrice up to the Board of Revenue. Twice they have succeeded and for the third time their cases are before the Honourable Members of the Board of Revenue. Through some influence brought to bear upon the officials or misrepresentation this time some of those tenants who were considered as their ringleaders have been bound down. It is with a view to avoid such undeserved hardships due to such vindictive attitude sometimes adopted by some magistrates on account of their human weaknesses that this resolution has been brought forward and I hope that the statement of the Hon'ble the Finance Member or the Hon'ble the Home Member will be in accordance with the spirit of the resolution and will avoid the pressing of the resolution.

Maulvi Abdul Hakim : (Speaking without being called). With your permission, Sir, I beg to move an amendment.

The Hon'ble the President : Will the honourable member please resume his seat?

Khan Bahadur Maulvi Fasih-ud-din : I give my whole-hearted support to the resolution which has been put forward by the honourable member from Pilibhit but with a few observations. I find that this discussion has taken a very interesting turn. The three reasons which are put forward by the honourable mover in support of his resolution are these: the first reason is this, that very often securities which are demanded from the persons who are bound over—I believe who are bound over under sections 107 to 110 . . .

Pandit Brijnandan Prasad Misra : Not only these, but there are others. I mean all sorts of securities, including even those which are demanded for the purpose of securing the attendance of accused persons on a future date.

Khan Bahadur Maulvi Fasih-ud-din : I am sorry. I thought the honourable member was meaning only securities in connection with the preventive sections.

The first point that he urges is that the securities which are demanded are sometimes very heavy and not quite adequate in consideration of the

[Khan Bahadur Maulvi Fasih-ud-din.]

status of the accused. As to the bail bonds for compelling the attendance of an accused I think that I at least in my long service have not come across any magistrate who demands very heavy securities only for the sake of compelling the attendance of the accused. This however happens chiefly in connection with cases that fall under the preventive sections. If any magistrate does so in connection with other matters I think he is not fit to hold the post of a magistrate. Now as to the cases under the preventive sections, my own experience is, that in many of the districts that I have been in, the usual practice is to demand two sureties of Rs. 100 each. I do not know anything about Pilibhit or Etah, but the usual practice is to demand two sureties of Rs. 100 each and a personal bond of Rs. 100. Sometimes it depends upon the idiosyncracies of the magistrate concerned when he demands heavier securities, but I must certainly take very strong exception to the word "vindictive" used by my friend who has just spoken on this subject. Well, with my experience of 30 years' of service I know that I have come across no magistrate at all who has been vindictive in matters of this kind. Sometimes a magistrate is over-strict and sometimes he is over-lenient and the amount that a magistrate fixes, I submit, depends on his idiosyncrasy and I believe he has no ulterior motive in shutting up an accused in jail by demanding heavy security.

Pandit Nanak Chand : Is the honourable member quite sure of their motives ?

Khan Bahadur Maulvi Fasih-ud-din : That is my experience. I have come across no such magistrates who are vindictive. It is quite possible that he might be partial either to the police or to the accused or to any of the parties concerned, but I cannot say that he has ulterior motives in fixing the amount of security, unless the magistrate is very weak and he is under the influence of the police. I say this in justification to the members of my service and I think that they act very honestly in matters of this kind, although they are so much maligned by the public. And I believe that during the last five or 10 years the old practice of harassing the accused when they were brought before magistrates under the preventive sections has been altogether discontinued, and the magistrates generally take a very sensible view of the whole matter. If there is any defect in the procedure, it is due, as I have said over and over again, to the combination of the judicial and executive functions and not to the personality or the personal inclinations of the magistrate concerned. About the other point I do admit and I confess that securities are very often rejected on very inadequate grounds. Sometime a security is rejected on the ground that the man who stands surety is a relative of the accused ; sometimes it is disallowed on the ground that he is not sufficiently rich and sometimes it is stated that he is an ex-convict and so on. But the High Court has now in repeated rulings, specially the recent rulings, clearly said that all these reasons are not sufficient for disallowing security and to my mind the root of the evil lies in the manner in which section 122 has been worded. The Judicial Secretary has just read that section. It says that a magistrate is empowered to reject a security on the ground of unfitness. Now, I submit, Sir, that unfitness is too wide a word to be used in law,

and the word used ought to have been more specific and the meaning expressed in some better way. The standard of unfitness is not the same with one magistrate as it is with another, and I think that the law does certainly require an amendment in this particular respect in order to root out this long-standing abuse of the powers on the part of some magistrates. As to the third point which has been brought out by the honourable mover, namely that the sub-divisional officer sometimes sends cases to tahsildars for inquiry and report, I certainly deprecate this practice, although it is allowed by law. But I want to point out that this practice is due to the fact that the magistrates do not generally find time to make these miscellaneous inquiries and sometimes they are actuated by the motive that a local inquiry will perhaps be more comprehensive. But my own long experience shows that the tahsildars' report is generally unsatisfactory, and I would certainly like the idea of impressing on the sub-divisional officers not to send such inquiries, although they take up a lot of time, to the tahsildar. With these remarks I support this resolution.

Maulvi Abdul Hakim : With your permission, Sir, I beg to move an amendment which will meet the objection of the Judicial Secretary and also meet the wishes of the honourable mover. I move that for the words "instead of inquiring into such matters then and there" substitute the words "if an inquiry then and there is possible."

The Hon'ble the President : The amendment proposed by the honourable member is to omit the words "instead of inquiring into such matters then and there" and to substitute the words "if an inquiry then and there is possible." This will make the sentence read "nor to send the bail applications to other magistrates for inquiring into the circumstances of the intending sureties if an inquiry then and there is possible." Is there any objection to the amendment being moved? No objection—the honourable member may continue.

Maulvi Abdul Hakim : The Judicial Secretary made it clear that the first part of the resolution was not in contravention of the substantive law and also that the second part was not in contravention of the substantive law; but he says the third part was in contravention of the substantive law because if the third part was accepted and magistrates given strict orders not to make inquiries through other magistrates, then in that case they would be doing something against the law. By the law they are authorized to make inquiry themselves or through others. Sometimes the second alternative is for the good of the accused, and if strict orders were issued that they are not to make inquiries through others it is possible that at times the accused would be put to trouble. Take the case of an accused who brings a surety from a long distance, say 20 miles. In that case if the magistrate is required himself to make the inquiry, he will have to wait for a day or two when the accused will be able to get a copy of the khewar and other documents to prove that the surety is a respectable man. So it is good for the accused to have inquiries sometimes made through other magistrates. If my amendment is accepted, the inquiry, if it is possible to be made then and there will be made, and the letter of the law will not be contravened, and also the purpose of the honourable mover served. The main object of the mover is to bring it to the notice of the Government that magistrates sometimes are very hard in the matter of bail. It is common knowledge that they are sometimes very hard in this matter. All the mover

[Maulvi Abdul Hakim.]

wants is that Government be pleased to issue orders so that the main provisions of the law of bail be properly carried out. I submit that as this resolution wants only what is actually intended by the law, Government should have no objection to accept it.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I wish I could meet the wishes of the House, particularly of the mover of the resolution: but unfortunately the resolution is not happily worded. We are asked to issue strict orders to the magistrates to do things according to our wishes. It comes to this. The issuing of strict orders means that the magistrates are going to be deprived of their discretionary powers by executive authorities.

Rai Bahadur Lala Sita Ram: Before you called upon the Hon'ble the Home Member to reply, I was just going to move an amendment to the resolution.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I am just coming to that, and I think I will meet the wishes of the honourable member. What is possible for the Executive Government is that the Government will draw the attention of the magistrates to the existing provisions of the Act. This is the only method which can be acceptable to us all. I do not think the amendment proposed by the honourable member will make any material change, because the provisions of the Act will clear the position. Section 122 reads as follows:—

“A magistrate may refuse to accept any surety offered, or may reject any surety previously accepted by him or his predecessor under this chapter on the ground that such surety is an unfit person for the purposes of the bond.”

The proviso is—

“Provided that, before so refusing to accept or rejecting any such surety, he shall either himself hold an inquiry on oath into the fitness of the surety, or cause such inquiry to be held and a report to be made thereon by a magistrate subordinate to him.”

In view of the presence of this proviso in the Act, we cannot advise otherwise the collectors and the magistrates. I shall therefore accept only so far as the drawing of the attention of the magistrates to certain existing provisions of the law is concerned. If this is acceptable to the House, I am ready to do that.

Rai Bahadur Lala Sita Ram: If I rise at all to make a few observations on this occasion, I do so because the Hon'ble the Home Member has tempted me to get on my feet. He has taken shelter behind the defective language of the motion. The Hon'ble the Finance Member just a short while ago told us he had objection to the words “strict orders” used here. I can quite see his objection to these words, especially in the face of what the Judicial Secretary pointed out as the provisions of substantive law. But I have seen, reading the proceedings of the Legislative Assembly and the Council of State, that Government members there do not consider it beneath their dignity to bring forward amendments to non-official resolutions if they are not happily worded, incorporating their own position in the language which they think would be acceptable to them. I wonder why the Government

in this province does not take its cue from the officials in the Assembly and the Council of State. If they do so, I think much of the verbal quibbling that from time to time goes on here would be avoided, and the Judicial Secretary, who in his judicial temper was inclined to accept the resolution at first and who discovered the reasonableness of the resolution, would not have been in an attitude of self-forgetfulness, if I may say so, would not have discovered legal or verbal flaws in it. I make this suggestion for what it is worth, and I hope the official members will study the resolutions and the wording of the resolutions and try to improve them by bringing forward the amendments acceptable to them in better language, because after all English is not our mother-tongue and we do not take pride in the correct use of it ; and sometimes not having been trained in the school of administration we do not know exactly where the shoe pinches so far as the official world is concerned.

Just a word in order to appease the wrath of my friend Maulvi Fasih-ud-din. I entirely agree with him that we members here should not attack any class of magistrates, and I am quite willing to concede that, although Khan Bahadur Maulvi Fasih-ud-din has retired from service, like us Hindus who believe that after the vanishing of our Sthūla bodies the Sukshamsharir lives behind and lingers, he has a certain natural affinity towards the members of his old service. But there is no desire on the part of any of us to be vindictive or to malign the magistrates as a class, among whom there are several respectable characters and who carry on the administration of justice according to their lights.

May I, while closing these observations in view of what has fallen from the Hon'ble the Home Member, just amend the wording of the resolution and ask the House to accept the amendment? I wish to move an amendment because that would be more acceptable to the Hon'ble the Home Member whom I am entirely willing to accommodate. The amendment I wish to move is that for the words "issue strict orders to" the words "invite the attention of" be substituted.

The amendment was put and adopted.

Dr. Ganesh Prasad : May I ask for a ruling whether the amendment that has been proposed is in correct English?

Rai Bahadur Lala Sita Ram : Sir, I think Dr. Ganesh Prasad would be quite within his rights in improving the language of the resolution which is not mine.

The Hon'ble the President : The amendment proposed, whether in correct English or otherwise, has been adopted by the Council.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I wish to propose an amendment to the resolution that this Council recommends to the Government to invite the attention of the magistrates in this province to the existing provisions of law on the subject of bail.

Pandit Brijnandan Prasad Misra : I want a ruling, if the Hon'ble the Home Member is in order, in moving an amendment to the original resolution which is not now before the House, except in its modified form.

The Hon'ble the President : The amendment as carried only goes down to the words "magistrates in this province." The amendment now proposed is to the words succeeding these words. It would not have been in order if the amendment adopted had run to the end of the sentence.

The Hon'ble the President : The amendment proposed is that after the words "magistrates in these provinces" the following words be substituted for all the words following, viz. "to the existing provisions of the law on the subject of bail;" so that if this is carried, the resolution will run :—

"That this Council recommends to Government to invite the attention of the magistrates in these provinces to the existing provisions of the law on the subject of bail."

That is the amendment at present before the Council.

The Hon'ble the Home Member's amendment was put and negatived.

Mr. Abdul Hakim's amendment was next put and the Council divided as below :—

Ayes (28).

Mr. H. David.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Thakur Moti Singh.
Babu Nemi Saran.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Thakur Har Prasad Singh.
Thakur Keshava Chandra Singh Chaudhri.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anand.
Pandit Yajna Narayan Upadhyaya.

Pandit Raja Ramji.
Thakur Hanuman Singh.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Babu Sita Ram.
Mr. Muhammad Aslam Saiti.
Maulvi Zahir-ud-din.
Maulvi Abdul Hakim.
Dr. Shafat Ahmad Khan.
Mr. Ashiq Husain Mirza.
Thakur Jagannath Bakshi Singh.
Dr. Ganesh Prasad.

Noes (36).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. R. Burn.
Mr. A. C. Laurie.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.

Mr. A. H. Mackenzie.
Mr. G. Clarke.
Babu Khem Chand.
Rai Bahadur Lala Sita Ram.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Lieut. Raja Hukm Tej Pratap Singh.
Babu Dip Narayan Roy.
Pandit Baijnath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Rao Abdul Hameed Khan.
Lieut. Nawab Jamshed Ali Khan.
Hafiz Hidayat Husain.
Nawabzada Muhammad Yusuf.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Sahib Munshi Siddiq Ahmad.
Rai Bahadur Babu Vikramajit Singh.

The amendment was therefore negatived.

Lieut. Shaikh Shahid Husain : I do not wish to take any time of the Council by making a speech but I wish to draw the attention of the House to one aspect of the question, and it is this ; that if the Government can interfere with the discretion of magistrates in one way, they will be in a position to interfere in another way which will not be quite palatable to the House. The sense of the House, I take it, is that bail and surety should not be prohibitive. My experience as a practising Barrister for the last 22 years has been that in very few cases prohibitive

bail has been asked for. Still the evil is there and that evil should be removed. I am very doubtful, however, if the procedure suggested, that the Government should interfere with the discretion of magistrates, is a proper one. As a matter of fact the practice is to approach the High Court in such cases. The procedure in my humble opinion should be that the sense of the House should be communicated to the High Court so that it may take suitable steps. I am always against Government interference with the discretion of magistrates. It is the High Court who should do so. I may be right or wrong but it is this aspect that I want to put before the House. If Government want to make any recommendation it should not take any direct steps; those should be taken by the Allahabad High Court or the Judicial Commissioner's court in this province.

Pandit Brijnandan Prasad Misra : Mr. President, before saying anything else, I would like to say that I am unable to agree with certain speakers upon certain points. Especially in reply to those points I would like to say a few words now. The last speaker said that he did not like that the discretion of the judiciary should be fettered by an executive order. He would, however, like that the highest judiciary in the land should be fettered by the executive order. He does not wish that the order should be issued to magistrates, but he would like that the order or instruction should be issued to the highest court in the province.

Lieut. Shaikh Shahid Husain : What I said was that the sense of the House should be conveyed to the High Court and the Judicial Commissioner's court.

Pandit Brijnandan Prasad Misra : If, according to my request, instructions are issued to magistrates that will also be conveying the sense of the House to magistrates. That would not be doing anything worse than that. I am sorry that my friend is a better lawyer than myself, as I have passed only a lower examination. This is a subtle point and I have not been able to enter into the subtlety of this question.

Then, in respect of the remarks made by my honourable friend Maulvi Fasih-ud-din I would only say this, that my regret is that I do not fortunately belong to that happy fraternity which has had the good luck of moving into that better and finer paradise to which my honourable friend belongs. I am sorry I have not come across a very large number of magistrates who were surrounded by a halo of sanctity, who are beyond all passions and beyond all feelings. I have in my life come across many magistrates who have shown feelings of vindictiveness. It was not my intention to recount here all the things that have happened around me and I do not wish to be considered that I am making a wholesale onslaught on the magistrates and courts of these provinces. I am sure that my friend could not perhaps have forgotten that in these very provinces there had been at least one instance, not of an ordinary magistrate but a district magistrate, who got an accused slapped by a constable. If that was not vindictiveness what else is it? It is a thing upon which I would like to have an answer from my friend. Instances of vindictiveness can be shown elsewhere also.

Khan Bahadur Maulvi Fasi-ud-din : I am not aware of this magistrate who had slapped an accused. Even if he did . . .

The Hon'ble the President : Will the honourable member resume his seat? It is not a personal explanation.

Pandit Brijnandan Prasad Misra : My honourable friend may not be knowing about this case. But I am sure my friend from Bulandshahr knows it very well and better than myself, because the matter relates to his district. Now if other honourable members also think that there are no other magistrates except those who have come down directly from the seventh heaven and have no fault in them, then I think I would not be justified in asking them to pass my resolution. But if the Council thinks that there are magistrates besides and beyond those who are in the knowledge of my friend and that these magistrates are not beyond all fault, then I think the House would not be justified in opposing my resolution. Ordinarily after the assurance that came from the Hon'ble the Home Member I would have been willing to withdraw my resolution, but after the turn the debate has taken and after the good certificates that have been given to all magistrates; I have no other alternative but to press my resolution to the attention of this House as a protest and I hope it will be unanimously adopted.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I am sorry I am unable to accept the resolution as it stood before, but it is acceptable to me as amended. I should like to be very brief. I appeal to this House that my amendment may be accepted by it unanimously. The reason for my submission is that from the point of view of those who are against the Government in House it would be much better to let the magistrates of the Foreign Government commit mistakes and so they need not trouble themselves to vote against my amendment. As regards those who are in favour of the present Government, I think they must loyally vote for the amendment which I have proposed.

The amended resolution was put and the Council divided as below:—

Ayes (41).

Babu Narayan Prasad Arora.
 Babu Sangam Lal.
 Babu Mohan Lal Sakseena.
 Babu Damodar Das.
 Thakur Moti Singh.
 Rai Bahadur Lala Sita Ram.
 Rai Jagdish Prasad Sahib.
 Chaudhri Sheoraj Singh.
 Pandit Nanak Chand.
 Babu Nemi Saran.
 Thakur Sadho Singh.
 Pandit Brijnandan Prasad Misra.
 Thakur Har Prasad Singh.
 Thakur Keshava Chandra Singh Chaudhri.
 Lieut. Raja Hukm Tej Pratap Singh.
 Pandit Sri Krishna Dutt Paliwal.
 Babu Parsidh Narayan Anad.
 Pandit Yajna Narayan Upadhya.
 Pandit Raja Ramji.
 Babu Dip Narayan Roy.
 Thakur Hanuman Singh.

Pandit Baijnath Misra.
 Pandit Govind Ballabh Pant.
 Pandit Hargovind Pant.
 Mr. Mukandi Lal.
 Babu Ram Chandra Sinha.
 Kunwar Rajendra Singh.
 Babu Sita Ram.
 Kunwar Surendra Pratap Sahi.
 Maulvi Zabur-ud-din.
 Rao Abdul Hameed Khan.
 Lieut. Nawab Jamshed Ali Khan.
 Hafiz Hidayat Husain.
 Maulvi Abdul Hakim.
 Dr. Shafa'at Ahmad Khan.
 Mr. Ashiq Husain Mirza.
 Lieut. Shaikh Shahid Husain.
 Lala Mathura Prasad Mehrotra.
 Thakur Jagannath Bakhs Singh.
 Rai Bahadur Babu Vikramajit Singh.
 Dr. Ganesh Prasad.

Noes (24).

The Hon'ble Mr. S. P. O'Donnell.
 The Hon'ble Raja Sir Mubammad Ali
 Muhammad Khan, Khan Bahadur.
 The Hon'ble Lieut. Nawab Muhammad
 Ahmad Sa'id khan
 The Hon'ble Rai Rajeshwar Bali.
 Mr. G. B. Lambert.
 Mr. E. A. H. Blunt.
 Kunwar Jagdish Prasad.
 Mr. G. B. F. Muir.
 Mr. A. C. Verrières.
 Mr. C. E. D. Peters.
 Mr. J. R. W. Bennett.

Mr. R. Burn.
 Mr. A. C. Laurie.
 Mr. A. G. P. Pullan.
 Mr. H. G. Billson.
 Mr. A. D. Ashdown.
 Lieut.-Colonel R. F. Baird.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.
 Mr. H. David.
 Babu Khem Chand.
 Khan Bahadur Maulvi Fasih-ud-din.
 Khan Bahadur Hakim Mahbub Ali Khan.
 Khan Sahib Munshi Siddiq Ahmad.

The amended resolution was accordingly adopted.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Friday, 29th February, 1924.

THE Council met in the Council Chamber, Lucknow, at 11 a.m.
The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.	Thakur Har Prasad Singh.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.	Thakur Keshava Chandra Singh Chaudhri.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Lieut. Raja Hukm Tej Pratap Singh.
The Hon'ble Rai Rajeshwar Bali.	Pandit Sri Krishna Dutt Paliwal.
Mr. G. B. Lambert.	Babu Parsidh Narayan Anad.
Mr. E. A. H. Blunt.	Pandit Yajna Narayan Upadhya.
Kunwar Jagdish Prasad.	Pandit Raja Ramji.
Mr. G. B. F. Muir.	Raja Sri Krishna Dutt Dube.
Mr. A. C. Verrières.	Babu Dip Narayan Roy.
Mr. C. E. D. Peters.	Thakur Hanuman Singh.
Mr. J. R. W. Bennett.	Pandit Baijnath Misra.
Mr. S. H. Fremantle.	Pandit Govind Ballabh Pant.
Mr. R. Burn	Pandit Hargovind Pant.
Mr. W. S. Cassels.	Mr. Mukandi Lal.
Mr. A. G. P. Pullan.	Babu Ram Chandra Sinha.
Mr. H. G. Billson.	Rai Bahadur Thakur Mashal Singh.
Mr. A. D. Ashdown.	Babu Sita Ram.
Lieut.-Colonel R. F. Baird.	Kunwar Surendra Pratap Sahi.
Mr. A. H. Mackenzie.	Dr. Muhammad Naim Ansari.
Mr. G. Clarke.	Mr. Muhammad Aslam Saifi.
Raja Muhammad Ej'az Rasul Khan.	Maulvi Zahur-ud-din.
Mr. H. David.	Rao Abdul Hameed Khan.
Babu Khem Chand.	Lieut. Nawab Jamshed Ali Khan.
Babu Narayan Prasad Arora.	Khan Bahadur Chaudhri Amir Hasan Khan.
Babu Mohan Lal Saksena.	Mr. Masud-uz-Zaman.
Babu Damodar Das.	Nawabzada Muhammad Yusuf.
Thakur Moti Singh.	Maulvi Abdul Hakim.
Rai Bahadur Lala Sita Ram.	Saiyid Muhammad Ashiq Husain.
Rai Jagdish Prasad Sahib.	Khan Bahadur Maulvi Fasih-ud-din.
Chaudhri Jaswant Singh.	Khan Bahadur Hakim Mahbub Ali Khan.
Chaudhri Sheoraj Singh.	Mr. Ashiq Husain Mirza.
Pandit Nanak Chand.	Khan Sahib Munshi Siddiq Ahmad.
Rai Bahadur Babu Ram Nath Bhargava.	Lieut. Shaikh Shahid Husain.
Babu Nemi Saran.	Shaikh Abdus Samad Ansari.
Thakur Sadho Singh.	Lala Mathura Prasad Mehrotra.
Pandit Brijnandan Prasad Misra.	Lieut. Shaikh Imtiaz Rasul Khan.
	Thakur Jagannath Bakhsh Singh.

MEMBER SWORN.

The following member made the oath or affirmation of allegiance to the Crown prescribed by rule 22 of the rules for the election and nomination of members to the Legislative Council of the United Provinces of Agra and Oudh :—

Mr. W. S. Cassels.

**ELECTION BY THE NON-OFFICIAL MEMBERS OF THE
LEGISLATIVE COUNCIL OF A REPRESENTATIVE TO
SERVE ON THE BOARD OF PUBLIC HEALTH.**

Pandit Brijnandan Prasad Misra: I beg to move that the election be postponed to a future date.

The Hon'ble the President: Will the honourable member kindly point out if any new circumstances have arisen since the time that similar motions for postponement were discussed in the Council at great length?

Pandit Brijnandan Prasad Misra: The circumstances are the same as before, but I trust the Council will re-consider its decision and postpone the election.

The Hon'ble the President: I do not wish to revive the debate today which was conducted at great length when the previous elections were held. No notice of the motion was given and it is not in the list of business for today. I will proceed with the election now.

Nawab Jamshed Ali Khan then proposed the name of Khan Bahadur Maulvi Fasih-ud-din and Mr. Muhammad Aslam Saifi seconded the proposal. As only one representative had to be elected and as only one name was proposed, Khan Bahadur Maulvi Fasih-ud-din was declared elected.

**ELECTION BY THE NON-OFFICIAL MEMBERS OF THE LEGIS-
LATIVE COUNCIL OF FOUR REPRESENTATIVES TO SERVE
ON THE UNITED PROVINCES FOREST ADVISORY BOARD.**

Rai Bahadur Lala Sita Ram: I propose the names of the following gentlemen :—

Mr. Ashiq Husain Mirza, Pandit Brijnandan Prasad Misra,

Mr. Mukandi Lal and Pandit Govind Ballabh Pant.

Pandit Nanak Chand: I second the proposal.

Mr. Mukandi Lal: I am afraid I cannot stand for election to this Board, as I have not taken the consent of my party yet, and the same holds good of my friend Pandit Govind Ballabh Pant, who is at present not here. As, however, this Board is a very important committee and ought to have hill-men on it, I would ask the Hon'ble the Home Member and the Chief Conservator of Forests if they will see their way to postpone the election until the 26th of March, by which time I expect to be in a position to know the decision of my party in the matter.

The Hon'ble the President: Is it the honourable member's wish that the election be postponed till the 26th of March? If so, he may kindly move it formally.

Mr. Mukandi Lal: I beg to move that the election be postponed until the 26th of March.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I am very sorry that I have to oppose this motion, the reasons being the same as those when previous motions were opposed in the past.

Mr. Mukandi Lal: I beg to withdraw the motion.

The Hon'ble the President: Is it the pleasure of the House that the motion be withdrawn?

Pandit Brijnandan Prasad Misra: No.

Mr. Mukandi Lal: I rise to a point of order, Sir. Can the official members vote on the motion, as the election is supposed to be held by non-official members of the Legislative Council only?

The Hon'ble the President: I think, on the whole, the point raised by the honourable member is a sound one. It is no doubt true that the election is to be held by the non-official members, and it is their votes that ought specially to count in considering whether the election be postponed or not. But I do not know of any powers vested in the President either by the rules or the Standing Orders by which any member of the Council can be prevented from voting on any motion before the Council. Yesterday, while speaking on the election by Muhammadan members only of a representative to serve on the Muhammadan Advisory Board of the Allahabad University, I pointed out that I was in doubt whether such an election should be held in the Council Chamber at all. It has always been the practice to hold every election in the Council Chamber. So long as that is the case, I am afraid I have no power to ask the official members not to vote on a motion which has been moved in open Council and is before the Council as a whole.

The motion was put and the Council divided as below :—

Ayes (29).

Babu Narayan Prasad Arora.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Rai Bahadur Lala Sita Ram.
Rai Jagdish Prasad Sahib.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Babu Nemi Saran.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Thakur Har Prasad Singh.
Thakur Keshava Chandra Singh Chaudhri.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.

Pandit Yajna Narayan Upad
Pandit Raja Ramji.
Babu Dip Narayan Roy.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Babu Sita Ram.
Dr. Muhammad Naim Ansari.
Maulvi Zahur-ud-din
Maulvi Abdul Hal
Lala Mathura Pr
Thakur Jaganna

Noes (35).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. W. S. Cassels.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.

Lieut.-Colonel R.
Mr. A. H. Macker.
Mr. G. Clarke.
Raja Muhammad
Mr. H. David.
Babu Khem Cha
Lieut. Raja Hukr
Raja Sri Krishna.
Thakur Hanuman
Rai Bahadur Thakur Mashal Singh.
Mr. Muhammad Aslam Saifi.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Chaudhri Amir Hasan
Saiyid Muhammad Ashiq Husain.
Mr. Ashiq Husain Mirza.
Khan Sahib Munshi Siddiq Ahmad.
Shaikh Abdus Samad Ansari.
Lieut. Shaikh Imtiaz Rasul Khan.

The motion was accordingly negatived.

The Hon'ble the President: Only two members, namely, Mr. Ashiq Husain Mirza and Pandit Brijnandan Prasad Misra have been proposed. I declare these duly elected. The elections for the remaining two members will be held on the 26th of March.

SUPPLEMENTARY ESTIMATES.

Demand no. 1.

HEAD 24—ADMINISTRATION OF JUSTICE.

The Hon'ble Mr. S. P. O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under the head of Administration of Justice the sum of Rs. 52,145 be provided and I move that that sum be voted.

Pandit Baijnath Misra: I beg to move that the demand be reduced by one rupee. My object in moving this amendment is to draw the attention of the Government to some features of this demand as well as to the explanation appended to it. The explanation says that riot cases together with the Imperial Bank Fraud case are estimated to cost Rs. 30,800. This sum is apparently a new demand. The explanation further says is that in addition there are outstanding bills amounting to Rs. 17,244. This sum is also a new demand. The explanation further goes on to say that Rs. 12,000 will be needed for ordinary fees during the remainder of the year. This too, I take it, is a new demand. If these three figures are added together they come to Rs. 60,000 and odd. It is stated in part (a) of the explanation that only Rs. 51,000 are needed. There is therefore a difference of a few thousands between the totals of those three figures and the sum that is actually asked for. I anticipate that this difference is made up of certain amounts which the Government has got at its disposal, but there is no indication of that in this explanation and members are left to reconcile this difference by themselves. What I suggest is, that the Finance department should take a little more trouble in order to make the figures understandable.

There is another feature of the demand and it is with regard to the sum of Rs. 30,800. It is said that this amount is needed in order to meet the extra cost that has been incurred in extraordinary riot cases in paying fees to special counsel. I remember that some time ago in the last Council there was a discussion as to whether the Government in these special cases should engage members of the local bar or they should import counsel from outside. The inclination of the Council was that, as far as possible, members of the local Bar should be engaged instead of importing counsel from outside, who are more costly. The explanation does not indicate what action has been taken in the matter, whether the special fees paid to the counsel were paid to counsel from outside or to the local counsel. I know and I admit that it is difficult for the Finance department to give every detail with regard to every item to the members of this Council. That privilege of course is enjoyed only by the members of the Finance Committee who can have a look into any figure and into any detail they like. But will it not be possible to give some more details with respect to the figures like these in order to enable the members of this Council to offer constructive

criticisms? I suggest that in this particular case it was necessary to give a little more detail.

There is a third feature to which I would like to draw the attention of the Council with respect to this item, namely special fees with respect to riot cases. My suggestion is that in cases in which a particular locality can be held responsible for any particular charge, the provincial finances need not be charged with that expenditure. Of course if a riot in a particular case is a mere indication of causes and feelings existing throughout the province, the provincial finances may be charged, but in cases where the whole province is not so responsible for it, the charges may be met locally and the provincial finances may not be charged for it. This is only by way of suggestion and for criticism by the members of this Council. This is all that I have to say with regard to this motion.

Mr. E. A. H. Blunt: As far as I can make out the honourable member objects that we have not asked for as much more money as he thinks we ought to have. As a matter of fact this statement of figures in the supplementary demand is a little elliptical. We omitted to mention in the explanation that we have in hand a sum of Rs. 8,897-8. Deducting this sum from the sum of Rs. 60,044 the amount which the honourable member calculated to be required for fees—the amount required is Rs. 51,146-8-0 i.e., Rs. 146-8-0, is required over and above the figure of Rs. 51,000. We are letting the Council off the odd Rs. 146-8.

Pandit Baijnath Misra: My object was simply to draw attention of the Council to the features that I have already pointed out and I meant nothing else by this motion. I, therefore, beg permission to withdraw the motion.

The motion was, by leave of the Council, withdrawn.

The net demand of Rs. 52,145, under head of account 24—Administration of Justice, was put and voted.

Demand No. 2.

HEAD 26—POLICE.

The Hon'ble Mr. S. P. O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under the head 26—Police a sum of Rs. 80,000 be provided, and I move that this sum be voted.

Pandit Baijnath Misra: I move that this demand be reduced by Re. 1. Here, again, I want to draw the attention of this Council to a feature of budgeting in this connection. It is said in the explanation appended to this item that early in the year it was decided that the expenditure relating to item (i) should in the first instance be met from the original grant under "26—Police". Now the expenditure under item (i) amounts to more than $\frac{3}{4}$ of a lakh, i. e., on special operations against Bhantu dacoits. It seems that it was in the mind of the Police department and also in the mind of the Finance department that special operations would be undertaken against these Bhantu dacoits and they knew that a large expenditure shall have to be incurred over these operations. That expenditure is not a small amount and has come to about $\frac{3}{4}$ of a lakh. In spite of that, no provision was made and it was expected that savings from other heads would be sufficient to meet this expenditure. This shows that

[Pandit Baijnath Misra.]

there was knowingly some over-estimating under certain heads of expenditure. I know, Sir, that the Police head is a large one; still, this item of Rs. 76,000 is also very large. So knowingly and intentionally there was some over-estimating under some heads and it was anticipated that from them there would be savings to cover expenditure on those operations. We know that whenever Supplementary Estimates are presented, they have to be accepted and granted. There are contingencies under every big head under which certain amounts are set apart as a sort of reserve fund, and now we find that a third expedient of over-estimation also exists. Taking into consideration the existence of the former two expedients, I think the Finance department should not have recourse to the third expedient of over-estimating in order to have some more reserve fund in hand. This is what I want to bring to the notice of the Council, because when over-estimating is resorted to, some difficulty is thrown in the way of the Council that has to provide money. In order to avoid this difficulty, over-estimating should be avoided.

Mr. E. A. H. Blunt: I listened with amazement to the attack on the Finance department by the honourable member. He seems to think that we deliberately over-estimated in the original budget so as to be able to pay for the Bhantu gang—or rather for the operations against the Bhantu gang. There he is entirely mistaken. If he will look at the statement, he will find in the sixth line of the paragraph, the words “in the first instance.” I think it would have been better if I had underlined or italicized these words. They are important words. What actually happened was that these operations against the Bhantu gang were sanctioned by the Council when they voted a sum of money last year. But it was not known how long the operations would continue or how much they would cost; and therefore we thought it better to put nothing in the budget for them as a separate item: but as actual operations were already sanctioned by the Council we decided to pay for them out of the ordinary budget *in the first instance*; and in the *second instance*, when the operations were over and we knew how much the cost was to go to the Council and ask for the exact sum required. We did not budget originally because we did not know what was going to occur, how long it would take to catch the Bhanthus, and how much expenditure would be incurred in doing it. It is not, therefore, a case of over-estimating. Indeed I am glad to say that the police budget, as far as I can make out, is going to work out very close to its original figures.

Lala Mathura Prasad Mehrotra: May I ask a few questions in connection with this item?

The Hon'ble the President: Yes.

Lala Mathura Prasad Mehrotra: (1) Is no provision made in the budget of the Police department for such special events occurring at least once or twice in a year?

(2) Was the expenditure not calculated at the time of making an allotment for it?

Mr. E. A. H. Blunt: I am not quite sure to what particular special items the honourable member is referring. If he is referring to the Bhantu dacoits, all I can say is that I sincerely hope that they, though they

can be described as a special event perhaps, are not an event which is going to occur "once or twice a year." As regards the visits of His Excellency the Viceroy to Lucknow and Allahabad, I do not think that we could be expected to foresee that His Excellency would decide to visit Lucknow or Allahabad. As to the Adh-Kumb *mela*, we might certainly have foreseen that. But I regret to say that we didn't. At all events it was a case of under-estimation and not of over-estimation.

Pandit Govind Ballabh Pant : May I put a question to the Hon'ble the Finance Member ?

The Hon'ble the President : Yes.

Pandit Govind Ballabh Pant : Does this amount on account of expenditure on special operations against Bhantu dacoits include the travelling allowance of Mr. Young and his force which went over to Bageshwar from Kathgodam ?

Mr. E. A. H. Blunt : No such allowance is included.

Pandit Govind Ballabh Pant : I said travelling charges.

Mr. E. A. H. Blunt : As far as Mr. Young himself is concerned I understand that he has not drawn any travelling allowance for over a year.

Pandit Govind Ballabh Pant : May I be permitted just to make a few remarks ?

The Hon'ble the President : Yes, certainly.

Pandit Govind Ballabh Pant : Honourable members of this House must be remembering the notice of the motion that was handed over to the Hon'ble the President the other day by my honourable friend, Pandit Brijnandan Prasad Misra, inviting the attention of the House to the affairs at Bageshwar. As the motion was not covered by the rules it could not be taken up then. I am now in a position to avail myself of the opportunity in connection with this demand for supplementary grant. So far as the question of the measures taken against Bhantu dacoits is concerned I fully appreciate the services of Mr. Young.

Mr. E. A. H. Blunt : A point of order. May I point out that as a matter of fact not one penny of this expenditure has any connection whatsoever with the fair at Bageshwar.

The Hon'ble the President : This is the question which was asked by the honourable member for Naini Tal to which no exact reply was given.

Mr. E. A. H. Blunt : I replied that Mr. Young did not draw any travelling allowance. I understand that he alone went to Bageshwar. That is my answer to the question.

The Hon'ble the President : The question is whether any of the expenditure.....

Mr. E. A. H. Blunt : I am now informed that I made a mistake.

Pandit Govind Ballabh Pant : When Mr. Young went to Bageshwar he took a force with him. I am not certain of the exact number, but he did take a police force with him.

The Hon'ble the President : The honourable member's original question was whether this item included any allowances connected with the deputation or at any rate the expedition of Mr. Young to Bageshwar at the head of a police force. The first thing to reply to is whether any amount in this item is connected with that expedition to the Bageshwar fair. If so, it is in order to discuss it, if not, then it is not in order.

Mr. A. D. Ashdown : The sum mentioned in the estimate of Rs. 76,955 includes no expenditure on account of the expedition of Mr. Young or his force to the Bageshwar fair.

Pandit Govind Ballabh Pant : The question was put in connection with the question relating to the expenditure incurred on Mr. Young's force; it was a supplementary question. In answer to that question the Government member did say that the expenses incurred in going to Bageshwar were included in that demand.

The Hon'ble the President : That I cannot say. The reply now given is that it is not included.

Pandit Govind Ballabh Pant : May I take it that not even a rupee of this sum is included in the demand?

The Hon'ble the President : The reply has already been given.

Pandit Govind Ballabh Pant : May I request for further details about this demand?

Mr. E. A. H. Blunt :

	Rs.
Pay of inspectors	6,480
Travelling allowance	34,070
Allowances	1,560
Establishment	1,545
Transport, camels, etc.	4,050
Postage	500
Freight on tents, ammunition, etc.	750
Medical arrangements	150
Extra contingencies	2,850
Rewards and informers	25,000
Total	76,955

Pandit Govind Ballabh Pant : May I submit that the position is this. Some of the force under Mr. Young did go to Bageshwar. They were paid their salary for those days and there were certain allowances that they had been receiving. I submit that even if one man of that force was there, the expenditure to the extent that he was there is included in this amount.

Pandit Baijnath Misra : If I have been able to understand the remarks of the Financial Secretary, I gather that money even for the Adh-Kumb mela was not provided in the budget, and the honourable member takes credit for under-estimating. The Adh-Kumb mela is a function that takes place after six years, and it was expected that it would take place this year, and therefore some provision should have been made for it in the budget. But this provision was not made and this is a further proof that the Financial department expected that there would be savings, or that there were bound to be savings, under certain other heads and that this extraordinary expenditure would be met from those savings

conveniently. However, though I am not convinced with the explanation given by the Financial Secretary, yet my purpose is served by bringing this matter to the notice of the Council in the form of this motion, and I would beg leave to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

The demand, as framed, was put and voted.

NEW DEMAND FOR CAPITAL OUTLAY NOT CHARGED TO REVENUE.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head Irrigation outlay not met from Revenue—Head 55—a sum of Rs. 2,50,000 be provided, and I move that this amount be voted.

Mr. H. David : I would like to know, Sir, from where this money is to come. If it is not met from revenue, does it come from the Development Loan ?

Mr. E. A. H. Blunt : This amount does not come from the Development Loan. It is from money which we have borrowed from the Government of India. The honourable member says that the Development Loan is not as large as this. Not as large ! Why, the present amount of the Development Loan is, I think, a crore and a half.

Mr. H. David : If it comes from the Government of India, I have no objection.

The demand was put and voted.

The Hon'ble the President : I shall not be able to announce the date of the next ballot for non-official business until it is known whether the dates 27th, 28th and 29th of March will be available for non-official business. I shall be in a position to say that, probably after the 7th March, and I will then fix dates for balloting for non-official business.

The Council will adjourn until the 5th of March.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Wednesday, 5th March, 1924.

THE Council met in the Council Chamber, Lucknow, at 11 a.m.
The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.	Chaudhri Badan Singh.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.	Thakur Sadho Singh.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Pandit Brijnandan Prasad Misra.
The Hon'ble Rai Rajeshwar Bali.	Thakur Har Prasad Singh.
Mr. G. B. Lambert.	Thakur Keshava Chandra Singh Chaudhri.
Mr. E. A. H. Blunt.	Pandit Sri Krishna Dutt Paliwal.
Kunwar Jagdish Prasad.	Babu Parsidh Narayan Anad.
Mr. G. B. F. Muir.	Pandit Yajna Narayan Upadhyaya.
Mr. A. O. Verrières.	Babu Dip Narayan Roy.
Mr. C. E. D. Peters.	Thakur Hanuman Singh.
Mr. J. R. W. Bennett.	Pandit Govind Ballabh Pant.
Mr. S. H. Fremantle.	Pandit Hargovind Pant.
Mr. W. S. Cassels.	Mr. Mukandi Lal.
Mr. A. G. P. Pullan.	Babu Ram Chandra Sinha.
Mr. H. G. Billson.	Dr. Jaikaran Nath Misra.
Mr. A. D. Ashdown.	Kunwar Rajendra Singh.
Lieut.-Colonel R. F. Baird.	Rai Bahadur Thakur Mashal Singh.
Mr. A. H. Mackenzie.	Mr. Muhammad Aslam Saifi.
Mr. G. Clarke.	Maulvi Zahur-ud-din.
Raja Muhammad B'jaz Rasul Khan.	Hafiz Hidayat Husain.
Raja Bahadur Brij Narayan Rai.	Mr. Masud-uz-Zaman.
Mr. H. O. Desanges.	Maulvi Abdul Hakim.
Mr. H. David.	Dr. Shafa'at Ahmad Khan.
Babu Khem Chand.	Saiyid Muhammad Ashiq Husain.
Babu Narayan Prasad Arora.	Khan Bahadur Maulvi Fasih-ud-din.
Babu Sangam Lal.	Mr. Ashiq Husain Mirza.
Babu Mohan Lal Saksena.	Lieut. Shaikh Shahid Husain.
Rai Bahadur Lala Sita Ram.	Khan Bahadur Chaudhri Muhammad Rashid-ud-din Ashraf.
Babu Bhagwati Sahai Bedar.	Mr. St. George H. S. Jackson.
Chaudhri Sheoraj Singh.	Raja Mahendra Man Singh.
Pandit Nanak Chand.	Lala Mathura Prasad Mehrotra.
Lala Babu Lal.	Lieut. Shaikh Imtiaz Rasul Khan.
Rai Bahadur Pandit Kharagjit Misra.	Thakur Jagannath Bakhsh Singh.
Raja Suryapal Singh.	Rai Bahadur Babu Vikramajit Singh.
Babu Nemi Saran.	Dr. Ganesh Prasad.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

COMMISSIONER OF KUMAUN.

*1. **Pandit Brijnandan Prasad Misra :** How long has the present Commissioner of Kumaun been in charge of this division and how many tigers has he shot during this time ?

The Hon'ble Mr. S. P. O'Donnell : Since December, 1913, less certain intervals spent on leave. The Government has no information in regard to the last part of the question.

DEPUTY COMMISSIONER, GARHWAL, AND GOVERNMENT RESERVE FORESTS.

***2. Pandit Brijnandan Prasad Misra :** Which of the blocks in the Government reserve forests were reserved for the Deputy Commissioner of Garhwal in 1922 and in 1923 in the Kumaun circle and in the Western circle, the duration of the reservation of each block being shown separately?

How many tigers were shot in these blocks during the time?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : An answer will be given at a later date.

BADRINATH TEMPLE.

***3. Pandit Brijnandan Prasad Misra :** Will the Government inform the Council how and by whom is the temple of Badrinath managed and controlled and what are the figures of its annual income and expenditure?

The Hon'ble Mr. S. P. O'Donnell : The management rests with the Rawal of Badrinath, who, in cases of difficulty, is expected to refer for advice to the Tehri Darbar. The Rawal is the trustee of the temple and its property, and subject to the condition above, the entire management is entrusted to him. He is expected to keep suitable accounts and to send them for approval annually to the Tehri Darbar after the temple is closed and also when requested to do so by the Darbar. The Government has no information as to the annual income and expenditure.

DISTURBANCE AT THE BAGESHWAR FAIR.

***4. Pandit Brijnandan Prasad Misra :** Will the Government inform the Council under what section of law and for what terms of imprisonment have—

- (a) Mr. Mohan Joshi,
- (b) Srijiit Narsingh,
- (c) Kirtiballabha,
- (d) Mr. Shiam Lal,
- (e) Pandit Gopal Dutta,
- (f) Pandit Devi Dutta, and
- (g) Pandit Pitambar

been recently convicted, after their arrests at Bageshwar for violating an order under section 144, Criminal Procedure Code, in Almora district?

***5. Pandit Brijnandan Prasad Misra :** Will the Government inquire if the Magistrate issuing the aforesaid order under section 144 held any preliminary inquiry and, if so, what was the nature of the inquiry and what grounds did he find to believe that, in the absence of such an order, public peace would be jeopardized?

(a) Was public peace ever disturbed before in Bageshwar?

(b) Is it a fact that Mr. Mohan Joshi, a convict in the aforesaid case, was tried in 1922 shortly after the Bageshwar fair under the Criminal Law Amendment Act and was released for being a "peaceful" non-cooperator?

(c) Is it a fact that some of the officers who went to the recent Bageshwar fair were accompanied by ladies and children?

(d) Under whose orders and seal or signature was this order issued and who tried the cases springing from the breach of this order?

(e) Will copies of this order (section 144, Criminal Procedure Code), and the texts of the speeches of the accused be laid on the table?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Answers will be given at a later date.

BHANTUS.

*6. **Pandit Brijnandan Prasad Misra :** Will the Government inform the Council of the achievements of the force deputed on the Bhantu expedition? Is Mr. Young still attached to the aforesaid expedition?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honourable member's inquiry opens up a large question which it is difficult to answer concisely. A proposal to continue the force for another year will be put before the Council on April 1st, and the opportunity will be taken then of making a full statement of the achievements of the force under Mr. Young's leadership.

Mr. Young is still in command.

SANCTION FOR PROSECUTIONS UNDER SECTION 124A, I. P. C.

*7. **Pandit Brijnandan Prasad Misra :** Was the Government approached by the authorities of the district of Almora with a view to obtaining sanction for prosecuting any person under section 124A, Indian Penal Code, for some election speeches?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The Government are not prepared to say whether any such recommendation was or was not made. Such recommendations when made are made in communications which are necessarily confidential and must remain so.

INTERRUPTION DURING COUNCIL ELECTIONS AT ALMORA.

*8. **Pandit Brijnandan Prasad Misra :** Did the Government receive any information as to the interruption of polling work at Deoria (in Almora) by two Europeans in the last Council elections?

The Hon'ble Mr. S. P. O'Donnell : No.

CASES UNDER SECTIONS 109 AND 110 OF THE CODE OF CRIMINAL
PROCEDURE IN JHANSI.

*8A. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to give the figures for the district of Jhansi for the last three years showing—

- (a) the number of cases sent up for trial under sections 109 and 110, Criminal Procedure Code;
- (b) the number of cases which resulted in conviction;
- (c) the number of such cases challaned by the sub-inspector of Nawabad police station, Jhansi; and
- (d) how many of those mentioned in (c) resulted in conviction?

CONFESSIONS RECORDED IN JHANSI.

*9. **Pandit Bhagwat Narayan Bhargava :** Will the Government kindly state—

- (a) how many confessions were recorded in the district of Jhansi by Magistrates in challaned cases during the last three years;
- (b) how many out of those confessions were made by accused challaned by the sub-inspector, Nawabad, Jhansi?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Answers will be given later.

ABBOTT MOUNT COLONY AT LOHAGHAT IN ALMORA.

*10. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state when the Abbott Mount Colony at Lohaghat in the district of Almora was established ?

*11. Who is the lessee of the land in the colony, how much land was let out and on what rate and terms ?

*12. Has the lessee been regularly applying all profits arising from the use of leased lands strictly for the purposes as specifically defined in the lease-deed.

*13. Is it one of the conditions of the lease-deed that the lessee should maintain accurate and regular accounts in such forms as the Local Government prescribes ?

*14. Has the lessee been regularly complying with this condition ?

*15. Were the accounts audited by special order of the Government conveyed in their telegram, dated the 11th November, 1922 ?

*16. Will the Government kindly lay on the table a copy of the auditors' note on the accounts of this colony ?

*17. If it be not somehow possible, will the Government state what were the concluding remarks of the auditors in their audit note ?

*18. What action did the Government take on the said audit note ?

*19. Will the Government be pleased to state what opinion did the Commissioner of the Kumaun division express on the working and management of the colony ?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

KAYASTH TRADING AND BANKING CORPORATION, GORAKHPUR.

*20. **Pandit Bhagwat Narayan Bhargava :** Is the Government aware that the Kayasth Trading and Banking Corporation, Limited, Gorakhpur, is under liquidation for a long time past ?

The Hon'ble Mr. S. P. O'Donnell : Yes.

*21. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state what steps are being taken for the distribution of the money of the shareholders and depositors ?

The Hon'ble Mr. S. P. O'Donnell : The liquidator has been realizing the assets and paying off the liabilities.

*22. **Pandit Bhagwat Narayan Bhargava :** When is the distribution to be actually expected ?

The Hon'ble Mr. S. P. O'Donnell : From the statement of accounts ending the 31st December, 1923, filed by the liquidator in the office of the Registrar, Joint Stock Companies, it appears that the liquidator has already disbursed Rs. 86,924.

*23. **Pandit Bhagwat Narayan Bhargava :** Will the Government consider the advisability of distributing the money so far realized ?

The Hon'ble Mr. S. P. O'Donnell : The statements show that disbursements by the liquidator have been proceeding *pari passu* with realizations.

HINDI READER (SAHITYA SUDHA).

*24. **Pandit Bhagwat Narayan Bhargava:** Has the attention of the Government been drawn to the fact that the Hindi Reader (Sahitya Sudha) prescribed for the Vernacular middle class contains several amorous poems?

The Hon'ble Rai Rajeshwar Bali: The matter has been recently brought to the notice of the Director of Public Instruction, who is considering it.

*25. **Pandit Bhagwat Narayan Bhargava:** Why were not these poems expunged prior to the book being approved by the Text-Book Committee?

The Hon'ble Rai Rajeshwar Bali: Does not arise.

MUNICIPAL BOARD, JHANSI.

*26. **Pandit Bhagwat Narayan Bhargava:** Is the Government aware that the Jhansi municipal board is in debt?

*27. Has the Government received a request from the Jhansi municipal board for a grant for water works?

If so, what action does the Government propose to take on it?

The Hon'ble Rai Rajeshwar Bali: An answer will be given at a later date.

CRIMINAL AND REVENUE CASES, LALITPUR.

*28. **Pandit Bhagwat Narayan Bhargava:** With reference to my starred question No. 16 of the 30th January, 1924, will the Government kindly lay on the table a statement showing separately the number of criminal and revenue cases tried by the European Magistrates and Assistant Collectors and those by Indian first class Magistrates and Assistant Collectors of Lalitpur during the last three years?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: A reply will be given later.

PUBLIC WORKS DEPARTMENT REORGANIZATION COMMITTEE'S REPORT.

*29. **Pandit Bhagwat Narayan Bhargava:** With reference to my unstarred question No. 46 of the 30th January, 1924, will the Government be pleased to state by what time the orders of the Government on the Public Works Department Reorganization Committee's report are expected?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member is referred to the answer given to starred question No. 52 asked by Rai Bahadur Lala Sita Ram on the 28th February, 1924.

PROHIBITION OF A MARRIAGE PROCESSION IN JHANSI.

*30. **Pandit Bhagwat Narayan Bhargava:** With reference to my starred question No. 13, dated the 30th January, 1924, will the Government be pleased to state what action was taken by the Commissioner on the telegram forwarded to him by the Government?

The Hon'ble Mr. S. P. O'Donnell: The telegram in question was forwarded to the Commissioner for disposal and not for report. No report was therefore received. As explained in reply to the honourable

member's questions on January 30th, the result of the conversations between the District Magistrate and representative Hindus and Muhammadans was that no further trouble has occurred.

HEAD MASTERS OF GOVERNMENT SCHOOLS.

*31. **Babu Dip Narayan Roy** : Will the Government be pleased to state—

- (i) the number of head masters of Government schools who occupy Government quarters rent free;
- (ii) the number of head masters getting house rent ;
- (iii) the number of head masters not getting any allowance though they occupy private houses ?

Does the Government contemplate to give them house rent from the date they have occupied private houses ?

The Hon'ble Rai Rajeshwar Bali : (i) Thirty-one (including seven Principals of Intermediate Colleges).

(ii) Six (including one Principal of Intermediate College).

(iii) As regards the first part of the question there are 19 such head masters.

As regards the second part of the question the answer is in the negative.

*32. **Babu Dip Narayan Roy** : Will the Government be pleased to state whether the head masters of the Government schools who were promoted from the Subordinate Educational Service to the United Provinces Educational Service with effect from 1st October, 1921, on two years' probation have been confirmed, and, if so, are they allowed their first increment from 1st October, 1923 ?

The Hon'ble Rai Rajeshwar Bali : The matter is under consideration. A reply will be given at a later date.

PUBLICATION OF NOTICES.

*33. **Pandit Yajna Narayan Upadhy**a : Has any instruction been issued by the Government for the guidance of the courts in the United Provinces regarding the publication of notices ?

The Hon'ble Mr. S. P. O'Donnell : Inquiry is being made. Answers will be given at a later date.

SUITS FOR ENHANCEMENT OF RENT IN BENARES.

*34. **Pandit Yajna Narayan Upadhy**a : Will the Government be pleased to state how many suits for the enhancement of rent under section 43(b) of the Act, II of 1901, have been instituted in Benares district specially in Benares tahsil, in the years 1921, 1922 and 1923 ?

*35. Will the Government be pleased to give in brief a general result of these cases ?

The Hon'ble Mr. S. P. O'Donnell : Inquiry is being made. Answers will be given at a later date.

OFFICIAL OPPRESSION AT BENARES.

*36. **Pandit Yajna Narayan Upadhy**a : Will the Government be pleased to state whether it is a fact that the villagers of Benares district

were compelled through sub-divisional officers, tahsildars, sub-inspectors of police and patwaris to purchase the tickets of a theatrical company of Benares which gave its night performance to a trust opened in the name of an official of Benares in the month of November, 1923 ?

The Hon'ble Mr. S. P. O'Donnell: An answer will be given at a later date.

DETENTION OF PANDIT JAWAHIR LAL AND BABU PARSHOTAM DAS TANDON.

***37. Pandit Yajna Narayan Upadhyia:** Is it a fact that Pandit Jawahir Lal Nehru, Chairman, municipal board, Allahabad, and Babu Parshotam Das Tandon, ex-Chairman of the same municipality, were unusually detained in the last month by the ticket collector and C. I. D. employee at Benares cantonment to give information of the place where they intended to put up at Benares ?

***38.** Will the Government be pleased to lay on the table the rules which led these officers to adopt this extraordinary procedure ?

The Hon'ble Mr. S. P. O'Donnell: An answer will be given at a later date.

JUDICIAL OFFICERS.

***39. Pandit Yajna Narayan Upadhyia:** Is it a fact that certain judicial officers whose conduct was regarded suspicious by the High Court were simply transferred and no action was taken ? If so, why ?

The Hon'ble Mr. S. P. O'Donnell: The Government is possessed of no information which would indicate that this is a fact.

Pandit Yajna Narayan Upadhyia: Will the Government be pleased to make inquiries into the matter ?

The Hon'ble Mr. S. P. O'Donnell: The answer is in the negative.

CONVICTIONS FOR POLITICAL OFFENCES.

***40. Pandit Yajna Narayan Upadhyia:** Will the Government be pleased to give the names of persons convicted under sections 124A, 153A, Indian Penal Code, and section 103, Criminal Procedure Code, or any other sections for political offences and who are still detained in jail ?

The Hon'ble Raja Sir Muhammad Ali Muhammrads Khan: The honourable member is referred to the answer given to unstarred question No. 6 of the 26th February.

Pandit Yajna Narayan Upadhyia: Will the Hon'ble the Home Member be pleased to state how many prisoners are undergoing simple imprisonment, how many are undergoing rigorous imprisonment and how many are under special treatment ?

The Hon'ble the President: That seems to be a separate question. The honourable member had better put that question on the paper.

PANCHAYATS IN BENARES.

***41. Pandit Yajna Narayan Upadhyia:** Will the Government be pleased to give the number of *panchayats* opened under the United Provinces Panchayat Act in the district of Benares ?

*42. Are these *panchayats* directly under the sub-divisional officers and are these *panches* required to pay visits to the sub-divisional officers every now and then ?

*43. How much has been collected by way of fines by the *panchayats* and how have the fines been spent ?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

REWARDS FOR CLASSICAL ORIENTAL LANGUAGES.

*44. **Mr. Muhammad Aslam Saifi :** Will the Government be pleased to give complete details about the rewards regarding Classical Oriental Languages ?

*45. What is the amount of reward given as regards—

- (a) Sanskrit,
- (b) Arabic, and
- (c) Persian ?

*46. Is there one reward only given respecting each language or is there a series of rewards of various amounts respecting each language ?

*47. If the latter, will the Government be pleased to state the amount of each reward ?

*48. To whom are these rewards given ?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the rules for the Examination in Oriental Languages, a copy of which has been placed in the Council library.

*49. **Mr. Muhammad Aslam Saifi :** When was this system introduced and with what object ?

*50. What is the total amount of rewards given during each one of the last five years ?

*51. Will the Government be pleased to lay on the table a statement showing the names of the recipients of these rewards together with the amount of the reward and the language respecting which the reward was given ?

The Hon'ble Rai Rajeshwar Bali : The information is not yet available.

POWER OF DISMISSAL OF SUB-OVERSEERS IN IRRIGATION DEPARTMENT.

*52. **Pandit Brijnandan Prasad Misra :** Is it a fact that before the enforcement of the new rules in the Irrigation department the power of dismissal of sub-overseers rested with the Chief Engineer and that the new rules have given that power to the Executive Engineer ?

If so—

- (a) why has this power been taken away from the Chief Engineer ;
- (b) who is entitled to hear appeals from such orders of dismissals passed by the Executive Engineers ;
- (c) have the Executive Engineers under the new rules any power for promoting the sub-overseers for good work ?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

S. L. C. EXAMINATION ANSWER BOOKS.

*53. **Pandit Brijnandan Prasad Misra:** Will the Government inquire if any number of the S. L. C. answer books of the last year's S. L. C. examination were lost or were by any other cause prevented from reaching the hands of the examiner?

If so—

- (a) whose neglect or lack of caution led to this incident;
- (b) was any inquiry made into the cause and effect of the loss;
- (c) how were the examination marks for the missing answer books supplied for adjustment in the result sheets and what subject of the examination were these copies related to?
- (d) Did any examinees apply for the re-examination of their copies relating to the subject of which the copies were missing; and, if so, what procedure was adopted in the case of such of the applicants as were unlucky in getting their copies lost?

The Hon'ble Rai Rajeshwar Bali: (a), (b) and (c) The honourable member is referred to the replies given to starred questions Nos. 7 and 15 for the 26th February, 1924.

(d) No.

NOTICE ON THE PADHANS OF KALI KUMAUN.

*54. **Pandit Brijnandan Prasad Misra:** Will the Government inform the Council if any notice or order of the Forest department was served on such of the Padhans of the Kali Kumaun as come down in winter to settle in Bhabar enjoining them to supply certain things?

If so, will a copy of the notice or order be laid on the table?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Inquiry is being made. Answer will be given at a later date.

MR. MEHTA, DISTRICT MAGISTRATE, ETAH.

*55. **Pandit Brijnandan Prasad Misra:** Will the Government inform the Council what action did it take for correcting the ways of Mr. Mehta after the strictures of courts passed against him for his conduct as a municipal chairman?

The Hon'ble Mr. S. P. O'Donnell: The Governor in Council does not propose to enter into particulars. Suitable action was taken.

*56. **Pandit Brijnandan Prasad Misra:** (a) Will the Government inform the Council why the District Magistrate of Etah has cancelled the licences for firearms of Seth Kishori Lal and Rao Maharaj Singh and their retainers?

(b) Are these gentlemen at present allowed any weapon (firearms) for protection of their lives and property?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: A reply will be given at a later date.

*57. **Pandit Brijnandan Prasad Misra:** Has the Government received any petition, dated the 20th of August, 1923, from any Christian subject of Etah making serious allegations against the administration of the District Magistrate? If so, what steps were taken upon the said petition?

The Hon'ble Mr. S. P. O'Donnell: A number of letters and petitions was received from an Indian Christian resident of Kasganj. Inquiries

were made where the allegations were sufficiently definite. Most of the allegations were shown to be untrue or exaggerated. Suitable action was taken by the Governor in Council where it was considered that the District Magistrate's discretion had been at fault.

IMPROVEMENT TRUSTS.

*58. **Pandit Brijnandan Prasad Misra:** Will the Government inform the Council of the date of the foundation of each Improvement Trust in these provinces, stating the assets or income and expenditure of each Trust and showing the extent of the indebtedness of each trust—the amounts of expenditure on (1) acquisition of land, (2) construction, (3) establishment, and (4) miscellaneous—being shown separately since the formation of the Trust?

The Hon'ble Rai Rajeshwar Bali: Inquiry is being made and an answer will be given at a later date.

MEDICAL CERTIFICATE.

*59. **Pandit Brijnandan Prasad Misra:** (a) Is the Government aware that some of the officers of the Government departments insist upon the production of the Civil Surgeon's certificate in cases where a medical certificate is required to be exhibited?

(b) Will the Government issue orders allowing acceptance of medical certificates of every registered medical practitioner?

The Hon'ble Rai Rajeshwar Bali: An answer will be given at a later date.

NEW COUNCIL CHAMBER.

*60. **Mr. Mukandi Lal:** Will the Government be pleased to state what is the total estimate sanctioned for the Council Chamber that is under construction at Lucknow?

The Hon'ble Mr. S. P. O'Donnell: Rupees 24,21,035.

Mr. Mukandi Lal: Has any agreement been taken from the contractor?

The Hon'ble Mr. S. P. O'Donnell: Of course. The building is being constructed under contract.

Mr. Mukandi Lal: And it will be complete by that date?

The Hon'ble Mr. S. P. O'Donnell: I do not know whether the contract definitely specifies that, but it would depend on the amount of money voted by the Council.

*61. **Mr. Mukandi Lal:** Is the Chamber likely to be completed within that estimated amount?

The Hon'ble Mr. S. P. O'Donnell: The Government have no reason to think that the building will not be completed within that amount.

*62. **Mr. Mukandi Lal:** How much has already been spent on its construction?

The Hon'ble Mr. S. P. O'Donnell: The expenditure up to the 31st January, 1924, was Rs. 5,10,192.

*63. **Mr. Mukandi Lal:** When is the Chamber likely to be completed?

The Hon'ble Mr. S. P. O'Donnell : By the 25th August, 1927.

MUNICIPAL BOARD, NAINI TAL.

***64. Pandit Govind Ballabh Pant :** Is it true that the Naini Tal municipal board consists of six elected and six nominated members with the Deputy Commissioner as Chairman?

Will the Government be pleased to revise the constitution of the board with a view to non-officialize it and to bring it under popular control?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

INDIAN AND EUROPEAN PRISONERS.

***65. Pandit Sri Krishna Dutt Paliwal :** Will the Government be pleased to state—

- (a) the diet,
- (b) the dress, and
- (c) the cost per head of—
 - (i) the Indian and
 - (ii) the European and Anglo-Indian

prisoners in our province? Is there any difference between the diet, the dress and the cost per head of the Indian prisoners and that of the European and Anglo-Indian prisoners? If so, why?

***66. (a)** Is the Government aware that the Indian prisoners have to wear *karha* on the leg and a *hansuli* round the neck?

(b) Do the European prisoners also wear these things? If not, why not?

***67.** Is the Government aware that the Indian prisoners, when given mill-labour, have to grind fifteen seers of grain, while the European and Anglo-Indian prisoners when subjected to the same labour have to grind only half that amount, viz., $7\frac{1}{2}$ seers? If so, why?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Answers will be given later.

EDITOR OF THE KSHATRIYA-VIR.

***68. Pandit Sri Krishna Dutt Paliwal :** (a) Is it a fact that M. Pratab Singh Negi, the present editor of the *Kshatriya-Vir*, a vernacular paper of Parhi (Pauri), (British Garhwal), is a Government servant, on leave?

(b) Will the Government be pleased to state if a Government servant on leave can do so?

(c) If not, will the Government see that he is properly dealt with?

The Hon'ble Mr. S. P. O'Donnell : Permission was given by Government to Thakur Pratab Singh Negi to edit the *Kshatriya-Vir* whilst he was on long leave. Inquiry has been made as to whether he has returned from leave.

MAN-EATING LEOPARD AT KARN PRAYAG.

***69. Pandit Sri Krishna Dutt Paliwal :** (a) Is it a fact that a man-eating leopard of Karn Prayag (British Garhwal) has killed and devoured many persons? If so, will the Government be pleased to state their number?

(b) What steps does the Government propose to take to get that leopard killed?

The Hon'ble Mr. S. P. O'Donnell : An answer will be given at a later date.

SARDA CANAL.

***70. Mr. Ashiq Husain Mirza :** Will the Government be pleased to state if it is a fact that the Sarda Canal Workshop at Bareilly is at present being maintained as a division of the Sarda Canal?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

***71. Mr. Ashiq Husain Mirza :** If so, will the Government be pleased to consider the possibility of running this as a sub-division under one of the Executive Engineers of the Sarda Canal posted at Bareilly?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

***72. Mr. Ashiq Husain Mirza :** Will the Government be pleased to state how many Europeans are employed in the workshops, what are their designations, pay and future prospects, and what work they are doing?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

***73. Mr. Ashiq Husain Mirza :** Will the Government be pleased to state the highest pay an Indian is getting at the workshop, his designation and qualifications?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

***74. Mr. Ashiq Husain Mirza :** Will the Government be pleased to state if it is a fact that a European gate-keeper is employed at the workshops? If so, will the Government be pleased to state what pay he is getting, what work he is doing, and what are his technical qualifications? If not, will the Government be pleased to state who is the European for whom married quarters have been built at the workshops, and who is generally found at the gates? What are his qualifications, work, and pay?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

***75. Mr. Ashiq Husain Mirza :** Will the Government be pleased to state what was the cost for building these married quarters with out-houses at the workshops?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

OFFICERS OF PUBLIC WORKS DEPARTMENT, BEFORE THE LEE COMMISSION.

*76. **Dr. Shafa'at Ahmad Khan :** Is it a fact that some of the members of the Public Works department, United Provinces, did not give their evidence before the Lee Commission at Allahabad but went to Delhi to give their evidence there ?

The Hon'ble Mr. S. P. O'Donnell : One specialist officer only went to Delhi.

*77. **Dr. Shafa'at Ahmad Khan :** How many members of the Public Works department were asked to give, and actually gave evidence in Delhi ?

The Hon'ble Mr. S. P. O'Donnell : One.

*78. **Dr. Shafa'at Ahmad Khan :** What was the amount spent on their travelling allowance ?

The Hon'ble Mr. S. P. O'Donnell : An application for travelling allowance has not yet been considered.

*79. **Dr. Shafa'at Ahmad Khan :** Why did they not give evidence at Allahabad.

The Hon'ble Mr. S. P. O'Donnell : The evidence of the specialist branches was taken at Delhi. The decision in this matter rested with the Royal Commission.

UNSTARRED QUESTIONS.

HONORARY MAGISTRATE, PAURI.

1. **Pandit Brijnandan Prasad Misra :** Who is the Honorary Magistrate in Pauri, Garhwal ?

(a) When were the magisterial powers conferred upon him ?

(b) What is his status and source of income ?

(c) Is he a British subject and a resident of British Garhwal ?

(d) Were his magisterial powers kept in abeyance for any time ; and, if so, why and for what period ?

(e) Is he now working as a Magistrate ; if so, is it after the restoration or renewal of the powers by the Local Government ?

(f) Does this Magistrate hold his court daily ?

(g) How many cases has he decided in 1923 and what is the average of the monthly case work before him ?

Mr. J. R. W. Bennett : A reply will be given later.

RESOLUTIONS *re.* TIME-SCALE FOR TEACHERS AND DEPUTY INSPECTORS OF SCHOOLS.

2. **Pandit Brijnandan Prasad Misra :** Will the Government inform the Council if any effect has so far been given to the resolution of Dr. Manohar Lal, M.L.C., regarding time-scale for the teachers of Anglo-Vernacular schools and the resolution of Raja Shambhu Dayal Sahib relating to the Deputy and Sub-Deputy Inspectors of schools ?

If any effect has so far been given to the resolutions, has any provision been made for considering the claims of senior members of the

services and if no effect has at all been given, will the Government state the reasons for delay ?

Kunwar Jagdish Prasad : (a) No.

(b) Does not arise.

(c) Government regret that funds for the purpose are not available.

KATARPUR RIOT.

3. **Pandit Brijnandan Prasad Misra :** Will the Government inform the Council how many of the persons convicted in connection with the Katarpur riot cases are still in jail ?

(a) When was each of them convicted and for how long ?

(b) Under what section or sections was each of them convicted ?

4. Will the Government inform the Council if the cases of any of these prisoners were revised by the Jails Committees that were formed to revise the cases of long-term prisoners ?

(a) If these cases were not revised why were they not referred to the Revising Committee ?

(b) If these cases were revised by the Committees what were their recommendations ?

5. Does the Government propose to release these or any of these prisoners now ?

Mr. J. R. W. Bennett : Answers will be given at a later date.

BRIBERY CASE AGAINST THE PATWARI OF SALAM IN ALMORA.

6. **Pandit Brijnandan Prasad Misra :** Has any case of bribery been pending against the patwari of Salam in the Almora district ? If so—

(a) when was it filed ;

(b) if the aforesaid case has been decided what was the result of the inquiry ; and if it has not been decided what is the delay in decision due to ?

Mr. C. E. D. Peters : An answer will be given at a later date.

DIVORCE SUITS.

7. **Mr. Muhammad Aslam Saifi :** Will the Government be pleased to lay on the table a list showing the number of the divorce suits to which Muhammadans were parties and which were decided by the civil courts of these provinces in the three years—1921, 1922 and 1923 ?

8. Will the Government be further pleased to lay on the table a list of those divorce cases in which appeals were preferred against the judgment of the lower courts to the High Court during 1921, 1922 and 1923 ?

Mr. J. R. W. Bennett : A reply will be given later.

JUDICIAL OFFICERS IN MEERUT.

9. **Mr. Muhammad Aslam Saifi :** Will the Government be pleased to lay on the table a list of the judicial officers who were appointed to preside at the various civil courts in the Judgeship of Meerut during the five years ending December 1923 ?

NOTE.—In this list the name, the office, the period for which the officers remained in Meerut Judgeship may be shown.

Mr. G. B. Lambert : A typed list is laid on the honourable member's table.

TEXT-BOOK COMMITTEE.

10. **Mr. Mukandi Lal :** (a) Who were the publishers that submitted Arithmetics, rural and urban, for vernacular schools in response to the Director of Public Instruction's invitation ?

(b) Who are the publishers whose Arithmetics have been accepted ?

(c) When Macmillan's Arithmetic was prescribed for vernacular schools, was an examining body other than the Text-Book Committee appointed to examine the Arithmetic submitted ?

(d) Was any expert in Mathematics not being a member of the Text-Book Committee co-opted on the present occasion to examine the rural and urban series of Arithmetics ?

(e) Did Mr. Moody examine any of the rural and urban Arithmetics ?

(f) If he did, was his opinion considered by the sub-committee concerned ?

(g) How did Mr. Moody come to be asked to examine Arithmetics ?

(h) Was his suggestion accepted ?

(i) Did the Director refer the suggestion to the Minister of Education ?

(j) Will the Government be kind enough to place on the table the opinions of Mr. Moody and of the members of the Text-Book Committee on the Arithmetics ?

(k) Is Mr. Jordon a member of the sub-committee in Mathematics as well as of that in History ?

(l) What qualifications has Mr. Jordon for being appointed a member of the sub-committee in Mathematics ?

Kunwar Jagdish Prasad : An answer will be given at a later date.

11. **Mr. Mukandi Lal :** Will the Government be pleased to lay on the table the opinions of the members of the sub-committee in Hindi on the books considered by the Text-Book Committee at its meeting of December last ?

Kunwar Jagdish Prasad : As the opinions are confidential Government regret that they cannot be placed on the table.

12. **Mr. Mukandi Lal :** (a) Has the present Secretary to the Text-Book Committee written any book that has been accepted by the Text-Book Committee ?

(b) While competing with other publishers does the Secretary receive permission of the Minister of Education to compete ?

(c) If there is no such rule already existing will it please Government to lay down that office-bearers of the position of the Secretary to the Text-Book Committee will not be permitted to submit books except with the permission of the Minister of Education ?

Kunwar Jagdish Prasad : (a) The honourable member is referred to the reply to portions (b) and (i) of starred question No. 26 for the 26th February, 1924.

(b) Does not arise.

(c) The honourable member is referred to paragraph 414 of the Educational Code and the rules framed by the Local Government under rule 47 of the Fundamental Rules.

13. **Mr. Mukandi Lal:** (a) When the book of a publisher is prescribed by the Education department how long does it remain in use?

(b) On what ground is it again removed from the curriculum?

(c) Before removing a book from the curriculum is due notice given to the publisher concerned?

Kunwar Jagdish Prasad: (a) For at least two years.

(b) When a more suitable book is available to take its place.

(c) Yes, in the curriculum issued by the Director annually.

14. **Mr. Mukandi Lal:** (a) Is the Government aware that the complaint is universal that the series of books known as Bachchon-ka-Bagh appointed as text-books teems with defects?

(b) Was the book ever examined by experts of the Text-Book Committee like Lala Sita Ram, Khan Bahadur Maulana Aminullah and Professor Abid Ali Faridi?

(c) Is a book, when submitted by a publisher, examined by all the six members of the sub-committee concerned?

(d) In the case of Bachchon-ka-Bagh from how many members was a written opinion obtained?

(e) Will the Government consider the advisability in the case of common language readers like Bachchon-ka-Bagh of having the readers examined by a joint committee of Hindi and Urdu readers of the two sub-committees?

Kunwar Jagdish Prasad: The honourable member is referred to the reply given to starred question No. 25 of the 26th February, 1924.

15. **Mr. Mukandi Lal:** (a) Is the Government aware that Makhzan-ul-Fawaed, a compilation of Mr. Mehdi Hasan Nasri, a Fellow of the University and a member of the Intermediate Examination Board and the Munshi Examination Board, prescribed for the B.A., Intermediate and Munshi examinations has not been available for nearly a year?

(b) What step does the Government propose to take to remedy the evil?

Kunwar Jagdish Prasad: (a) Government have no information.

(b) Government understand that the book is printed and will soon be available.

16. **Mr. Mukandi Lal:** (a) Will the Government be pleased to name the authors and publishers who are writers of and dealers in keys and notes whose publications in consequence have been banned by the Text-Book Committee?

(b) Have any European publisher ever come under the operation of the rules regarding keys?

(c) Is the Government aware that Messrs. Macmillan and Company are the publishers of keys to Nesfield's Grammars and Hall and Steven's Geometry?

(d) What action, if any, has the Education department taken against Messrs. Macmillan in respect of keys to Nesfield's Grammars and keys to Hall and Steven's Geometry?

(e) What action does the Government take against the publishers of keys appended to English publications?

(f) If no action is taken, are those keys and their publishers exempted from the rules boycotting dealers in keys?

Kunwar Jagdish Prasad : The honourable member is referred to the reply given to starred question No. 27 of the 26th February, 1924.

TENDERS FOR PUBLICATION OF CERTAIN BOOKS.

17. **Mr. Mukandi Lal :** (a) Has the Education department invited certain firms of printers and publishers to submit tenders for the publication of certain books the copyright of which belongs to Government?

(b) Who will consider the tenders that are submitted?

(c) Will a committee be appointed for the purpose?

(d) Will the Government consider the advisability of appointing a committee consisting not merely of officers of the Education department but of non-officials too?

(e) Will the Government announce (i) the names of those that form the committee if it is formed; (ii) the date when tenders will be considered; and (iii) the date of the publication of the acceptance or rejection of tenders?

Kunwar Jagdish Prasad : (a) Yes.

(b), (c), (d) and (e) These matters are under consideration.

ABOLITION OF THE POST OF PERSONAL ASSISTANT TO INSPECTOR-GENERAL OF PRISONS.

18. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to abolish the post of the Personal Assistant to the Inspector-General of Prisons?

Mr. J. R. W. Bennett : A reply will be given later.

CIVIL LIST.

19. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to direct that the Civil List be supplied to all the members of the Council, just in the same way as the Gazette is supplied?

Mr. G. B. Lambert : The Civil List is available in the Council Library. It would involve considerable expense to comply with the honourable member's suggestion.

SESSIONS JUDGE, AGRA.

20. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to take notice of the complaints made as regards the conduct of the Sessions Judge of Agra in connection with the case of rape committed on a Mallah girl named Binsia?

Mr. J. R. W. Bennett : The honourable member is referred to the answer given to starred questions Nos. 79, 80 and 81 on the 27th February, 1924.

PRIMARY AND SECONDARY EDUCATION IN THE UNITED PROVINCES.

21. **Raja Sri Krishna Dutt Dube :** Will the Government be pleased to state whether there is a legislative enactment governing primary and econdary education in these provinces?

If so, when was it passed? If not, does the Government contemplate to introduce a Bill at an early date?

Kunwar Jagdish Prasad : As regards the first part of the question the honourable member is referred to the United Provinces Primary Education Act, 1919, and the Intermediate Education Act, 1921.

The second part of the question therefore does not arise.

EMIGRANTS FROM UNITED PROVINCES.

22. **Raja Sri Krishna Dutt Dube :** Will the Government be pleased to lay on the table the following particulars concerning the emigrants from the United Provinces who have gone out of India during the last five years :—

(a) Number of persons who emigrated, and

(b) Their sex, age, caste or religion ?

Kunwar Jagdish Prasad : The information asked for by the honourable member is not yet available.

RIOTS ORIGINATING FROM COW SACRIFICES.

23. **Raja Sri Krishna Dutt Dube :** Will the Government be pleased to state the number of riots originating from cow sacrifices occurring each year for the last five years ?

Mr. G. B. Lambert : No form of statistics is prescribed which discloses the facts asked for. From information received it is only possible to say that there was one such case in 1922 and three such cases in 1923. No information is available for the years 1919 to 1921 inclusive.

SARDA CANAL.

24. **Raja Sri Krishna Dutt Dube :** Will the Government be pleased to state what progress the Sarda Canal project has made up to this time? What districts are likely to be benefited by it? What will be the cost of the whole project?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

GUMTI FLOOD.

25. **Raja Sri Krishna Dutt Dube :** Will the Government be pleased to state whether it has ascertained the cause of the last untimely flood of the Gumti river? If not, does it contemplate making any inquiry into the matter? What has been the extent of damage caused by it? Has the Government taken any step to relieve those that have suffered loss of property? If not, why not?

Mr. G. B. Lambert : The cause of the flood was abnormal rain in Kheri and Pilibhit districts. It is impossible to reduce to exact figures the damage caused over the wide area involved nor does the Governor in Council consider that the labour involved in compiling the required statistics would be justified by the value of the information received. A sum of Rs. 60,000 was placed at the disposal of the Deputy Commissioner of Lucknow for the relief of distress in Lucknow and

another Rs. 25,000 was promised on condition that a similar sum is raised locally. Suspensions of revenue and liberal advances of *tagavi* have also been given where justified.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES.

26. **Raja Sri Krishna Dutt Dube**: Is the Government aware that considerable difficulty is experienced by non-Christian litigants of these provinces for want of registration of births, deaths and marriages? If so, does the Government contemplate to extend the provisions of Births, Deaths and Marriage Registration Act to all classes and communities of the United Provinces so far as births and deaths are concerned? Will the Government make some provision for registration of non-Christian and non-Parsi communities of these provinces?

Mr. G. B. F. Muir: An answer will be given at a later date.

RESOLUTION *re* TIME-SCALE FOR SUB-DEPUTY INSPECTORS OF SCHOOLS.

27. **Raja Shankar Sahai**: Will the Government kindly state whether any action has been taken on the resolution of Raja Shambhu Dayal Sahib with regard to the introduction of a time-scale salary for Sub-Deputy Inspectors of Schools, adopted by the Council on the 26th October, 1922?

Kunwar Jagdish Prasad: Government carefully considered the matter but regret that funds are not available to give effect to the resolution.

28. **Raja Shankar Sahai**: If not, does the Government intend to introduce the time-scale for the Sub-Deputy Inspectors of Schools this year? If the reply is in the negative, will the Government kindly state reasons?

Kunwar Jagdish Prasad: No. Because funds for the purpose are not available.

GENERAL DISCUSSION OF THE BUDGET FOR 1924-25.

Khan Bahadur Maulvi Fasih-ud-din: I have to reiterate the old complaint that we are not allowed sufficient time to go through the different items in this budget. It is not the ordinary budget of a Municipal or District Board, but it is the budget which covers the whole ground of provincial activities, and as such I think we should be allowed at least ten days, if not more, in order to be able to think out what we have to say. I know that it takes no time to offer criticisms of sorts, but it certainly requires a good deal of deep thinking to offer criticism of a constructive nature. Any how I trust we will be given more indulgence in future in this respect.

I am sure we are not following an old-established custom, but we are fulfilling the bare requirements of justice, when we congratulate the Hon'ble the Finance Member on the manner in which he has framed his budget, and the still abler manner in which he has displayed it with the help of his usual terse and telling style and his full grasp of facts and figures. The Financial Secretary, Mr. Blunt, also deserves his full share of praise for all the spade-work, which is by no means of an easy nature,

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and for having presented before us the future tale of the finances of these provinces in an acceptable form, a province the past financial history of which is by no means a pleasant reading. We know that the year 1919-20 began with a very substantial balance of 252½ lakhs, which was reduced by the end of the year to 221 lakhs, and later on at the end of the succeeding year this balance had shrivelled to 89 lakhs. Then came the Reforms, which brought in their train various items of new and increased expenditure, and the result was that at the end of 1921-22 the credit balance of 89 lakhs was converted into a deficit balance of 59 lakhs, and in the following year another 65 lakhs were added to this deficit. Thus it is very clear that at least in the four years preceding the current year the province was fast drifting, as it were, into an abyss of bankruptcy. It swallowed up the whole of the 157 lakhs, the spending power which was the boast of Lord Meston's Committee. It also appropriated a substantial part of the Development Loan Fund and a good deal of Famine Insurance Fund. But the most unpleasant feature was that from year to year we notice the over-rating of the estimates of income and the under-rating of the estimates of expenditure, with the necessary corollary of frequent and various applications for supplementary grants. The budget, I confess, of the current year was a great advance on its predecessor, inasmuch as it tried to balance the expenditure with income, though with but a little margin. And in my opinion the present budget is distinctly a very great improvement on all the preceding budgets, for the simple reason that the expenditure of this budget is 50 lakhs below the revised figure. But in my opinion the backward progress of the province towards financial embarrassment has not yet been satisfactorily arrested. The most important step that was taken last year was the formation of the Committee on Economy under the presidency of the Hon'ble Mr. Fremantle. The report of this committee forms in my opinion a very great landmark in the history of economies of these provinces. This Committee has richly earned the everlasting gratitude of every patriotic Indian for the courageous manner in which it has grappled with the situation. Its scope was rather limited in nature, and was confined to the examination of various items of expenditure; but it has gone ahead and it has at least referred to some broader problems. One of these is the extinction of the provincial contribution by gradual stages. We all know that the prognostication of the Lord Meston's Committee, which fixed the contribution at 240 lakhs has proved to be entirely wrong. Except the province of Madras our province has been most heavily assessed in India. Bombay escaped with a tiny figure of 50 lakhs and Bihar and Orissa with nothing. The Central Government does not seem to listen to our repeated requests. It has not yet minded or heeded the various arguments that were put forward, and it seems to be acting on the principle that money once gained is gained for ever. I say to the Central Government that if it actually wants to go with the strong public opinion of these provinces, that if it wants that we should not bid farewell to our future schemes of progress, in fact if it wants that we should not cripple the existing activities of the various departments, then it should reconsider its attitude of obstinacy. The Hon'ble Finance Member has given us the assurance that the Central Government may shape its policy towards this contribution, but situated as we are, I think that no

tiny reduction will save the situation, and if the Central Government intends to save us from a great financial catastrophe, which seems to be inevitable, I think that it should as well forego its claim to this contribution for one year and then reduce it by degrees. We have been cutting down expenditure and the Hon'ble the Finance Member in justifying his proposals for new taxation has already sounded a note of warning that if we do not agree to this new taxation the pruning knife will have to be applied to the Transferred Subjects. The Transferred Subjects, Sir, constitute our great prerogative. Out of the two halves of the Provincial Government, the Ministers' half is the people's half, and, as has been remarked by the Southborough Committee, the Transferred Subjects constitute a new source of power. For this reason we want to guard against any encroachment on this new source of power. The most glaring mistake, in my opinion, that has been committed in connection with the introduction of these Reforms is that the new machinery has been simply super-added to the old machinery, which naturally forms the fifth wheel as it were in the carriage. Connected with this subject is the subject of the Provincialization of the services, in other words the substitution of a cheaper agency of the Provincial Service for the costlier agency of the Imperial Service. This point too has been touched by the committee. I must frankly confess that I am one of the greatest admirers of at least one branch of the Imperial Service, namely, the Indian Civil Service. It has certainly made a great mark, not only in India but throughout the whole world, for its great efficiency and its great driving power. But India, within the last decade, has advanced very materially in the matter of education. Besides, during the days of the great war the element of the Imperial Services was reduced to the minimum and the manner in which the members of the Provincial Services shouldered the responsibilities of the higher kind of administrative work is now a matter of history. I therefore submit that it will be worth while to treat the provincial service officers with much greater indulgence than they have hitherto been treated, especially when it is considered that India is not a very rich country and that the condition of the people of a country must always be reflected in the cost of its services.

The Hon'ble the Finance Member has claimed that as the decreases in the budget are to be noticed in every direction, therefore it is a very strong indication of the fact that he has not been unmindful of making cuts everywhere. I do join with him in this idea and I compliment him for this, but his announcement that some of the important recommendations of the Committee will be subjected to further inquiry is not very reassuring, at least to my mind. I think that none of the recommendations of the Committee should be left to the mercy of the departmental head or even to the sweet will of the Cabinet, as these inquiries have been made with great care and after full consultation with the departmental heads. Every department is always eager to grab as much money as possible in order to launch more schemes of improvement, but the test of this should be two—

(1) the state of the budget or the condition of our finances, and

(2) the real need of the middle and the poorer classes of people.

If I were to be given the treasures of the Pharaohs of Egypt I would certainly, like the great poet Ghalib, pluck all the stars in the skies and

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plant them in the streets of Delhi in order to adorn and beautify the capital of India.

I, therefore, submit that even Ministers should guard against the money-grabbing tendency of the departments if they at all intend to preserve the financial stability of the province. I do not join issue with the Hon'ble the Finance Member when he says that the Executive departments do not admit of further cuts. I think that in spite of the fact that the Police department and the Forest department have largely contributed to the decrease, they do certainly admit of further pruning, as probably we will see later on in connection with the detailed discussion of the budget. Besides the transferred departments do require that the channels of their various activities should depend on popular demand and not on the whims of the departmental faddists; the Carpentry School, Bareilly, and several other institutions are glaring instances of this kind.

Hafiz Hidayat Husain : When I began my study of the Budget I could not but congratulate the Hon'ble the Finance Member on the lucidity of his exposition and the masterly way in which he put it before the Council. I think an equal amount of praise is due to Mr. Blunt, the Secretary of the Finance department, who has done all that he could to make the Budget explain itself to those who are new to the Council.

I regret however to say, Sir, after this, that I do not think that the Budget has got very much to commend itself to us. We have got the same old story; no doubt we leave the ambit of deficits, but we are required to continue, for another year at least, the impositions that were made last year in the shape of the Court Fees Act, the Stamp Act, and the Motor Vehicles Taxation Act, and we have also been asked to accept another imposition, that is the Entertainments Tax Act. Now, Sir, that in itself shows that the finances of our province are not in the satisfactory condition in which we wish them to be. In any case, we have not attained that financial equilibrium which ought to have been the attempt of this Government to achieve. When we begin to consider the reasons that lead to such an unsatisfactory state of affairs, I think the main reason is the heavy contribution that we have to pay to the Government of India. That accounts mostly for the deficits we have been facing year in and year out. As my friend Mr. Fasih-ud-din has just said, the contribution which the Government of India takes from us is at least one quarter of what it takes from all the rest of the provinces in India. That is to say, Rs. 10 crores is the amount that is contributed to the funds of the Government of India by all the provinces and our provinces contribute about Rs. 2½ crores. This iniquitous contribution has created a very unsatisfactory state of affairs. What it means is this, that we have got to pay for other provinces which are either lightly taxed or whose administration is more costly than our own. The Hon'ble the Finance Member has told us that barring one province our standard of expenditure is the lowest in India. Whatever it be, we cannot congratulate the Government on this state of affairs, they have either made no representations to the Government of India or their representations to that Government have been so weak that they have not been heard so far. It will not be permissible to discuss the policy of the Government of India on the floor of this House. But

it will be permissible to state the latest achievement of that policy. The Government of India have stated that they are prepared to reduce the salt tax to Rs. 2 from Rs. 2-8-0 and if the Legislative Assembly will not insist on its being reduced to the previous rate of Re. 1-4-0 the Government will give us about Rs. 30 lakhs out of the Rs. 150 lakhs; the yield of the salt tax—a bit of sugar for the little bird. If, however, the tax is not maintained at Rs. 2 per maund, no reduction of contribution will be allowable. I hope that this Government will enter its emphatic protest on behalf of the people of these provinces and on behalf of this Council against making the reduction in provincial contribution dependent upon the continuance of the salt tax at Rs. 2. On the contrary, relief must be given to our provinces otherwise and at once. Before I close this particular point I may be permitted to say that no other province has been more cruelly treated, no revenue has been so mercilessly filched as that of this province in the matter of this contribution to the Imperial Government. If we were to compare the incidence of taxation of these provinces with the incidence of taxation of other provinces, I should expect great strides in the advancement of this province, on the contrary, however, the educational and material progress of these provinces is very much less than even the Frontier province and the province of Assam due no doubt to this iniquitous Meston award. The result is that the nation-building departments of these provinces if they have not been famished, have got very much less than they should have got. It is true that education has got a little more this year. But, on the contrary, the two departments of Industry and Agriculture have got very much less than they got in 1922-23 and 1923-24. Educationally this province is very backward as compared to other major provinces, but I particularly ask the Hon'ble Minister of Education to keep his eyes and ears open with regard to Muhammadan education. In the year 1914 the Government of Sir James (now Lord) Meston formulated a policy to promote primary education among Muhammadans. That resolution is embodied in the *Gazette* of 29th August, 1914. Now, in answer to a question that was asked by me on 30th January, 1924 the Government stated that payments by the Government to district board for Musalman Primary Education during the last four years amounted to Rs. 8,96,000 and out of this Rs. 1,50,000 lapsed to the Government. This does not entirely exonerate the Muslim community particularly in rural areas from its apathy towards education, but what I say on this occasion is this, that currents and under-currents are arising and it is apprehended that this scheme itself may be swept away by those currents. I would say nothing more at this stage, because I have given notice of moving various resolutions on the subject.

Turning to the budget provisions we find that less has been provided for Industries and Agriculture than was done last year; in the former case by Rs. 2,37,000. These two departments are most necessary for the material development of these provinces and it will be a misfortune if funds are not available in order to meet the necessary expenditure of these departments.

In this connection allow me to refer to the improvement trusts. These trusts have been launched in these provinces to mitigate, as far as possible, the hardships which the lower classes undergo in places like Cawnpore, Lucknow and Allahabad in matters of habitation. But unfortunately these improvement trusts have been so hopelessly mismanaged

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that I think it is absolutely impossible to continue them. Or they should be radically changed in their administration and provided with necessary funds.

Then Sir, roads and communications require opening up. Bridges and aqueducts have got to be put up in order to avoid floodings. More money should be allotted for indigenous system of medicine such as Unani and Ayurvedic systems. Rural sanitation should be improved and lastly, I think it is a disgrace that there should be no leper asylum in these provinces. Leper asylum is an absolute necessity. We should also give more money to district and municipal boards because they cannot by any means carry on their work efficiently unless and until they have all their demands met. The Hon'ble the Finance Member has in his budget speech given us two alternatives—one is the reduction in our expenditure and the other is further taxation. He admits that reduction of expenditure is possible, but he also says that it is possible only in transferred departments and that it is absolutely impossible in reserved departments. I ask whether it is not possible to treat the report of the Retrenchment Committee with a little more sympathy and whether it is not possible to amalgamate the Departments of Agriculture, Industries and Co-operative into one. This proposition of mine that these three departments may be amalgamated needs serious consideration by the Government.

It has been said outside the Council that the Service in this province are top-heavy, and I think that there is much ground to believe that it is so. The Reforms have given us two Executive Councillors, two Ministers and a host of Secretaries and Under Secretaries. If the Board of Revenue can do their work with its Secretariat pruned off, why can not similar economies be effected in other branches of the administration.

The Hon'ble the Finance Member has told us that the new taxes which were imposed last year have not operated harshly as no complaints have reached the Government. This much however I can say from my personal experience that poor people have been deprived of having recourse to law, on account of increase in court fees. There is absolutely no doubt about it. Litigation was an accompaniment of civilization and should not be discouraged in the way it has been discouraged. As regards the Motor Vehicles Tax, I think that those who have to pay this tax have a right to inquire as to what has become of the proceeds of this tax. It was stated last year that one-third of it would be devoted to the improvement of roads. Anybody who has travelled on roads can say that there has been no improvement in roads during the last twelve months. I remember that when in November last His Excellency the Governor went to Cawnpore he said that there was nothing like a road between Cawnpore and Unao.

There was a time when non-official members like myself were not allowed to have any voice in the budget, and I think part of this can be said even now with regard to the budget of the departments which are under the charge of the Hon'ble the Home Member and the Hon'ble Finance Member. But I should like to say one or two things with regard to the subjects that have been transferred. I turn firstly to the Excise department. The Excise yields a revenue of something like 1,50 lakhs. My only complaint is that excise which is so much hated by the

people of these provinces should yield this vast income. My own opinion is that the sooner we can close the doors of the Excise department the better. My friend, the Nawab of Chhatari stares me in the face when I say that the department should be abolished. I can certainly look him in the face. Unless we abolish the Excise department, it is absolutely impossible for us to have any reform in the social habits of the people. It is said our policy is "maximum of revenue and minimum of consumption". These two terms are irreconcilable to me. My idea is that the maximum of revenue means the maximum of consumption.

Turning to agriculture, I would like to reserve my remarks with regard to the manner in which the department of Agriculture is managed till the demand for this particular item is presented to the Council. Meanwhile I should like only to say that the tenants and the zamindars expect that the Government will help them in the pursuit of their calling in a way that they might profit most. At present we have got several farms, both experimental and non-experimental, and it is common knowledge that tenants and zamindars turn away from them without having acquired anything of value. It is necessary in my opinion that in the near future a stores supply department should be opened to sell cheap seeds to those who want them. It is only by helping the agriculturist that we can secure the contentment of the bulk of the population of these provinces.

Rai Bahadur Lala Sita Ram : These two days that are allotted to us by those who hold our destinies in their hands, for the general discussion of the budget are looked upon by us non-official members as more or less a field day when we can run amok with impunity without the restraining influence of the school-master of the budget period, I mean the Financial Secretary.

I cannot help remarking at the very outset that it is very unfortunate for us that, whereas Bengal, Bombay, Madras and even Bihar have been able to budget for surplus amounts, we in these provinces are budgeting for a deficit of Rs. 15,30,000, on the assumption that no further taxation is passed by the Legislative Council. The Punjab, that unhappy land of five rivers, which has come to the fore so much for its turmoil during the last few years, is also budgeting for a deficit, though much greater as compared to our province; but it has, on the other hand, been promised by the Government of India a remission of Rs. 44,00,000, for the purposes of meeting this deficit. It appears, however, that something has gone wrong somewhere with our province that it should come to bad days with the Government of India, for the Hon'ble the Finance Member in the Government of India has recently announced that out of a sum of Rs. 1,50,00,000 which may be set aside in order to give relief to provincial governments, our province is only to get Rs. 30,00,000. I fail to understand why we have not been treated fairly on this score, even after the representations, that must have borne the impress of the usual ability, energy and thoroughness, which we have learnt to associate with the Hon'ble the Finance Member in this House, the impress of the Finance Secretary's resourcefulness, backed officially and demi-officially by the support of our own Governor. I hope that when the Hon'ble Finance Member winds up the debate, he will be able to throw some light on the matter. Under a system of dyarchy, as it prevails in all its rigour in these provinces, our Ministers are not perhaps in a position to know what is happening between this Government

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and the Government of India on subjects which do not relate to their departments, but I do think that the Members of the Executive Council, as being in a more favoured position than the Ministers, will be able to inform the Council as to how the case of this province in regard to the remission of contribution by the Central Government exactly stands, I hope my honourable friends the Swarajists will have noted from the opening paragraph of the statement presented by the Hon'ble Finance Member that moderate as the old Council was it did succeed in making a cut of more than 14 lakhs in the budget that was presented to us and that it cut down the taxation bills, by 31 lakhs, with the result that, although the Hon'ble Finance Member presented to the Council a surplus budget, on account of these cuts in expenditure and the cuts in taxation there was actually a deficit of 2 lakhs and 29 thousand. Here I must pause just to make a few observations about a significant admission—significant not so far as the Hon'ble Finance Member is concerned but significant certainly so far as the Financial Secretary is concerned—namely the over-budgeting of the various heads of departments. I remember having said that it was the complaint of the late lamented Mr. Gokhale in the Government of India that it was a matter of habit with Government departments to over-estimate the expenditure and under-estimate the income, and if I remember aright we were assured that our own departments in these provinces were much better and that they did not resort to this practice. We find for the first time perhaps in an official document an admission that the heads of departments over-budgeted to the extent of 47 lakhs. The result was what the Hon'ble Finance Member has told us that the revenue estimates whereas there was to be a deficit of 2,89, the opening balance became 1,46,69.

Coming now to the statement, on the ability and lucidity of which let me congratulate the Hon'ble Finance Member, I divide the statement presented to us under three heads. Under the first head the Hon'ble Finance Member has given us the financial situation as it is in these provinces after the figures of 1923-24 and 1924-25. Under the second head the Hon'ble Finance Member has taken credit and rightly so to a certain extent for having made economies and for telling us that so far as the immediate future is concerned no further economies are possible. Under the third head he thinks that there will be a deficit of 15,31, and therefore, as a corollary, he recommends to the Council to pass taxation measures which will yield 27,50, in order that the deficit of 15,31, may be converted into a surplus budget of 12,19.

As I read the budget I find that under the revenue account of 1923-24 there was to be a deficit of 2,89, (according to the statement of the Hon'ble Finance Member) but if you add to this deficit 15,02, that have been detailed by the Hon'ble Finance Member in his budget and allow for increases of 47,12, and 8,39, you find that there should have been roughly an increase of about 37 lakhs available in the hands of Government on the revenue side. I hope I am clear on the point. The deficit estimated was 2,89. 15,02, rupees were overspent under the heads detailed by the Hon'ble Finance Member. I may say in this connection that the figures as given in the statement are a little misleading, but for that purpose I propose to square up with the Financial Secretary privately and not detain the House in that connection. But taking the figures as they are—Rs. 2,89,000 plus Rs. 15,02,000—

that comes roughly to 18 lakhs. On the income side we had Rs. 47,12,000 as due to over-budgeting and Rs. 8,39,000 due to less disbursements. That makes it to Rs. 55,39,000. Deducting 18 lakhs from Rs. 55,39,000 the reduction is Rs. 37,39,000. So that what is the result? We find at the end of the budget year 1924-25 that this 37 lakhs will be absorbed. Rupees 58,05,000 which is proposed to be diverted from the Famine Insurance Fund will be absorbed and over and above that there will be a deficit of Rs. 15,31,000. That is to say there will be an expenditure of more than one crore on the revenue account alone. Take it from another point of view altogether. I mean capital and revenue. What do we find? The budget year 1924-25 will open with an opening balance of Rs. 1,46,69,000 but the closing balance of the year 1924-25 will be Rs. 1,05,58,000. In other words the opening balance of Rs. 1,46,69,000 will be converted into a closing balance of Rs. 1,05,58,000. That is to say the balance will be less on the capital revenue account by 41 lakhs. If you add 58 lakhs, which the Government proposes to divert from the Famine Insurance Fund, and add also Rs. 27,50,000, proceeds of the new taxation, that makes it more than Rs. 1,26,00,000. In other words, as the Hon'ble Finance Member has himself stated, the expenditure in the budget year 1924-25 will be a good deal more than what it was in 1923-24 and this in spite of the fact that a good deal of expenditure has been cut down and there has been a reduction in expenditure for which I congratulate the Government.

Sir, I pass on to a gratifying feature of the budget and that is contained in the 5th paragraph of the Hon'ble Finance Member's statement. The Hon'ble Finance Member has told us that if certain figures are corrected under the irrigation head, that is, if working expenses deducted out of the revenue side go to the expenditure side, it means that whereas the working expenses in the budget year 1923-24 were about 65 lakhs, the working expenses according to the budget for 1924-25 will fall to 51 lakhs. I hope I am not wrong in the figures that I am quoting. I am taking these figures from paragraph 5. That will show at once that compared with the working expenses as estimated in the year 1923-24, as far as the working expenses of the irrigation department are concerned, there will be a welcome fall of 14 lakhs under this head. We find on the other hand that the estimated yield from the new taxation measure, was not what it was estimated to be and there I see the hand of God, if I am allowed to be superstitious. Government increased canal rates without consulting the Council and against our wishes to the tune of 22 lakhs. Again they put these court fees and stamp enhancement Bills and carried them by a majority. What is the result? Of course the estimated yield from increases in the court fees and stamps might not have been what it was expected to be because it was after all a rough calculation. But under the irrigation head we find that there will be a deficit or there will be a reduction in income of not less than 34 lakhs.

Because, as God willed it, there were copious rains and cultivators could not take advantage of canals provided by our beneficent Government. I see in that a clear indication to the Hon'ble Finance Member to reduce the canal rates, even if we do not give the taxation measures asked for. The other gratifying feature of the budget is the diversion of certain funds from the Famine Insurance Fund to certain items detailed in the statement, which is in accordance with what some

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non-official members in the old Council used to say. But I should like some information as regards items 1 and 2 towards which this fund is going to be diverted. It is said that the interest on the Sarda works and the interest on protective canals, which were hitherto classed as productive works, are now to be met out of the Famine Insurance Fund. I hope Government will tell us what canals are those which, though looked upon as productive hitherto, will now be looked upon as protective works alone, and I do not know how far Government will be right in classing the Sarda works as protective works at all. We have been told all along that the Sarda works will bring us a handsome profit on the amounts spent over it. We find suddenly here in a passage in this statement that the Sarda works are to be looked upon as a sort of a protective work and not productive. I see in it a danger against which we must safeguard. The Sarda works, like the Ganges canal works, are not protective at all; they are being constructed to fetch some profit to the State and that brings me to the point which I had the temerity to urge again and again in this House, namely, the expenditure that is being incurred over the Sarda canal. Last year you will remember that I drew attention to the purchase of a railway saloon and to the purchase of crockery from loan funds. This year it is my unfortunate duty to draw the attention of the Hon'ble Finance Member to the haste and rapidity with which one inspection house after another is being built in connection with these works and to the expenditure that is being incurred over the construction of a workshop at Bareilly. Even today my honourable friend Mr. Mirza has been putting questions about this workshop and I put questions about it some time ago. We are not yet out of wilderness and it is too early for us to holla because the financial stringency is still upon us. But what do we find in the Sarda works? We find that not only 4 or 5 acres of land are acquired for each inspection house, but they are to be furnished and a garden is to be laid out in connection with a canal project which will not be complete and running till after 1928, if I mistake not. Even if it is open by that time, the interest on the capital money that is being invested in the construction of these places and the workshop is a dead loss. It is a workshop which, if I mistake not, is a sort of opening for some people and which could be well done away with because there is the Empire Engineering Company, there is the Government's own workshop at Cawnpore, there is a private workshop at Roorkee from which Government could purchase. I have some times thought that Government would be well advised, if they seriously thought it worth while having a small committee of experts to examine into the manner in which money is being spent from capital over the Sarda works and whether there is room for economy, particularly as the interest on that money is to be diverted from the Famine Insurance Fund and is to be taken out of our control practically.

Sir, the deficit of Rs. 15,31,000 is proposed to be met by the Hon'ble Finance Member by asking us—the only way in which he could do it—to pass the four taxation measures, which according to him will bring in Rs. 27,50,000. Now let us see how he proposes to spend this. According to him there should be a minimum balance of Rs. 30,00,000 and he proposes that on an average about five lakhs will be remitted on the irrigation rates if the Council passed the additional taxation measures

and he also says that about 27 lakhs will be absorbed by new expenditure. He also says that four or five lakhs will be taken up by the new reforms of a Chief Court for Oudh and the separation of judicial and executive functions, one of which the Government wants to have and one of which the Council is so keen about. Now, Sir, as regards the Chief Court I do not think the Chief Court Bill will come up in this Council before July next and then if it is referred to a Select Committee and passed by this Council it will not be before November. After that the Government will think as to how to provide money for it. So there is no likelihood whatever of the project of the Chief Court, however much the Hon'ble the Home Member may push it on, materializing before the next budget year. As regards the separation of judicial and executive functions, I am afraid, although we are so very keen about it and only the other day we passed a resolution that it should be brought into effect immediately, it is a matter with the Government of India and we do not know what the Government of India will do or the matter. So that there is no hope of these two measures coming up in this Council in the next budget year. But what do we find even if they come in the budget year 1924-25? Rs. 27,50,000 which the Hon'ble the Finance Member proceeds to spend will be on the items that I detailed a little while ago, namely, 27 lakhs on new expenditure, 30 lakhs on minimum balance, 4 lakhs on these reforms and 5 lakhs on irrigation; that means 66 lakhs. Supposing we in our whimsical mood or whatever you may call it, refuse to pass these taxation measures for reasons which I shall detail later on, or supposing the Government of India gave us the 30 lakhs to which we are looking forward, it will not be necessary for the Government to have these taxation measures. Even without these measures Government can very well have a closing balance of ten lakhs. They can remit irrigation rates by ten lakhs and can spend 15 lakhs over new items and keep 4 lakhs for the Chief Court and the separation of functions. I have calculated it in this manner. The items on which the proceeds were to be spent amounted to 66 lakhs; so that if 27 lakhs were taken away, 39 will still be in the hands of Government and they can be distributed accordingly.

A lakh I think I can place at once at the disposal of the Hon'ble the Finance Member and that he will find at page 49 of the detailed estimates. By a curious clerical mistake, if I read it right because like a good boy I am very much afraid of Mr. Blunt's chastisement, at page 49 we find at the very bottom "probable savings—Rs. 1,00,000" but instead of deducting that amount from the total a lakh of rupees has been added to the total so that . . .

Mr. E. A. H. Blunt: That is a misprint. I found it just when I was going through the budget. I do not plead any guilt for it because these figures are prepared by the Accountant-General. The explanation is that the figure 5 should be 7.

Rai Bahadur Lala Sita Ram: Whatever it may be, that lakh of rupees will be in the hands of the Government because Government must have calculated that on the expenditure side. That expenditure will not be incurred; that will be a saving. I shall, however, look further into this matter of the alleged misprint. To proceed, we have been assured that there are certain lump deductions to be made at the time of the discussion of the demands. Mr. Blunt in his carefully drawn up memorandum and the Hon'ble the Finance Member have both assured us and the Government also in their resolution issued on the

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report of the Economy Committee—a resolution on the promptness of issuing which I must congratulate the Government—have told us that certain lump deductions will be made when the demands will be presented. Coupled with that lakh and these lump deductions, Government will not have a deficit of 15,31. Still if Government want certain heads of expenditure on which they can retrench at once I can tell them. There are certain heads where there is an immediate prospect of economy for example, reduction in the number of patwaris and sadr kanungos, according to the resolution issued by the Government themselves; reduction in the number of assistant Excise Commissioners; savings as a result of the committee on the Roorkee College and the Universities Coordination Committee; the result of the abolition of two posts of inspectors of school; the results of the reductions made in the veterinary and co-operative departments and reductions in the agriculture and industries department as detailed in Government resolution. Also there is one Superintending Engineer for canals whom Government agree they will be able to bring under reduction, but whose post they can very well keep in abeyance, so that his salary can be saved at once. Under the administration of justice, if Government adopts the recommendations made in the report of the Economy Committee, there will be a good deal of savings. And also there is another thing. I find that the Central Government has been loading burden after burden on this Government. I do not know whether this Government has been protesting, but I do find that there is the reduction of the upkeep charges of archaeological gardens, the imposition of charges for the upkeep of the Residency gardens is just transferred to the Local Government. I do not know whether Government has protested over these items and whether they have asked the Central Government to increase contributions towards the maintenance of roads for the military in the hills and the maintenance of the medical establishment at Dehra Dun. The Local Government should, I think, ask for relief from the Central Government, as we are already very much in need.

The Hon'ble the President: I must ask the honourable member to come to a close.

Rai Bahadur Lala Sita Ram: I ask your indulgence, Sir, for a very few more minutes to conclude my speech.

The Hon'ble the Finance Member has told us that "I think we can now fairly claim that we have so far as the immediate future is concerned exhausted the possibility of economy." I beg respectfully to join issue with him there. I have just a little while ago explained, perhaps to the satisfaction of some of my friends here, that some economies are possible immediately or in the near future, but certain other economies, which Government has been postponing, and on which Government should, taking its courage in both hands, take early action, are also possible. As far as the transferred Departments go, there is the report of the Public Works department Re-organization Committee so ably presided over, Sir, by yourself. That Committee, you will remember, recommended reductions aggregating 6 to 8 lakhs. We have yet to see the fruits of those recommendations. There is the abolition of the public health circle; the Economy Committee recommended the

amalgamation of the well-boring and engineering departments. Then again, I am afraid my friend Dr. Zia-ud-din is not present, so far as the education department is concerned, there is the reconsideration of the establishment of Intermediate Colleges. Already I hear a faint rumble and I think that at no distant date one of the authors of the Sadler Commission will be here and say, in agreement with an educational reactionary like me, "Add one year more to the High School course and transfer a year to the transferred University." So I believe that there is this question in connection with Intermediate Colleges. There is also the question of the abolition of the post of the Inspector-General of Civil Hospitals and the amalgamation of his office with the medical branch of the Secretariat, as recommended by the Economy Committee. These are the questions as regards transferred departments.

As far as reserved departments go, there is the question of allowances, the question of Commissioners with the Government of India; there is the question of the salaries—I say this without meaning any offence—the salaries of the Executive Councillors which Government says was fixed by the Secretary of State under section 85. Has the Local Government made any representations to the Government of India—has it made any strong representations to the Government of India that they should give us the early decision of the authorities on these matters? Have they represented at all to the Government of India that these matters are brought up again and again in this House and it is necessary that some decision must be arrived at. There is the question of the abolition—I know the Inspector-General of Police may be angry with me—of a Deputy Inspector-General and also of the abolition of the Deputy Inspector-General, Criminal Investigation department. At least one of these recommendations was made not by an agitator like me, but it had the approval of a benevolent bureaucrat, a Senior Member of the Board of Revenue, Mr. Fremantle, who presided so worthily over the Economy Committee. The Committee recommended that there should be a reduction in the post of Deputy Inspectors-General by one—yes, although the official members did not like it, it was nevertheless passed by the majority of the Committee. With regard to the Deputy Inspector-General, Criminal Investigation department, the Hon'ble Mr. Fremantle was absolutely in agreement with us, and Mr. Oakden, a member of the same service to which my honourable friend Mr. Fremantle belongs, also agreed with this. But, Sir, now the Government says in its resolution that the number of dacoities and murders has increased, therefore all the Deputy Inspectors-General must be maintained. I hope Government have realized the implication of their resolution. Does it mean that as dacoities and murders increase, the posts of Deputy Inspectors-General must also increase? In that case I should think the Deputy Inspectors-General would then be interested in getting dacoities and murders increased. I hope Government will see to the implication of their resolution on that matter.

One word more and I have done. I have no horror of taxation, as such, because I find that the Allahabad municipal board which is presided over by one of the Swarajists for whom I have great admiration—I mean a congress man—Pandit Jawahir Lal Nehru—they themselves have added to their taxation by imposing a passenger or visitors' tax. So, I for one have no horror of extra taxation, provided it is necessary and

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provided the results of that taxation are beneficial to the public. It is said in the Raghuvansham of Kalidas that if the sun draws water from the ocean it is only to pour it down a thousandfold on the earth. So, if there is a tax and its proceeds are spent for the benefit of the people, I see no objection to that taxation. So, if the proceeds of the new taxes are necessary and if those proceeds are to be spent on measures which are beneficial, the House will have no objection; but we shall have to be very strict and careful on this point. It has been said that the Government are not masters over economies in some of the all-India Services concerned. We also are not our own masters, we have our masters in the electorate. If the Local Government take shelter behind the Government of India, I do not complain; but we also are bound by our mandates, we are bound by the interests of our own electorates, and shall we be wrong to look to the interests of the tax-payer and the electorates we represent?

Mr. H. David: I would like the Financial department to answer a question. I find that the figure of over four crores of the development loan has been reduced to 42 lakhs. A major portion of this amount has been utilized—I hope Mr. Blunt will correct me if I am wrong—in the reserved departments. This is an instance of action which calls for an explanation. I must inform the Hon'ble the Finance Member that the Judicial department does stand in need of an increase of funds. That has been a long-standing grievance and I find no serious effort has been made to redress that grievance. But India is the land of grievances. I for one also have my grievance. I find, as I represent a very small community in this Council, that my community has been very much neglected in the apportionment of appointments by Government. I find from a reply to a question given recently that there are a few Christians in the Judicial department in the Agra Province, but that there are no Christians in the Judicial department in Oudh. I hope Government will see the necessity of consecrating this department by the admission of some Christians. I notice that education is the most expensive department in this province. I find that about 2 crores have been estimated for expenditure in the budget.

[Voices asking the honourable member to speak louder.]

The Hon'ble the President: Will the honourable member kindly speak louder.

Mr. H. David: I shall try my best. I hope the department of Public Instruction will not make a mistake in over-estimating the expenditure this year also. Anyhow, we are all glad that the amount has been raised to a very respectable figure transcending all other departments. But I cannot as yet see how much of this amount will be spent in the creation of Universities and Intermediate Colleges in this province. So far as higher education is concerned, I should say, graduates are now a drug in the market. There was a time when I was at college, my Principal used to taunt me by saying that Madras graduates could be got for Rs. 5 a month. I think in this province the time is fast coming when we will also come down to that level. We have already four Universities in the province and there is a sort of competition among them to turn out as many graduates as possible, by all means at their command. I regret to find that the Educational Minister is so pliant and

so generous as to have promised another University at no distant date. I wish he were firmer and would pause in his way. In connection with this Education budget, I have to mention the fact that the Ewing Christian College is the first to suffer on account of the Conscience Clause. All grants to that institution have been stopped or will be stopped, because that eminent college is true to its convictions. I do not wish to interfere with other people's religious convictions, but at the same time I think Government need not have interfered with the religious convictions of the Ewing Christian College authorities. In spite of the fact of the college refusing to abide by that clause, the college still exists, and I think it has got more students on its roll than any other institution in Allahabad. This outburst of fanaticism for enforcement of the penal provision against a Christian College is deeply to be regretted. Along with this, it must be remembered that the funds of the missionary societies are getting very low. Only within the last few days, we received a cablegram from England for closing down three mission stations—one at Benarcs, the other at Mirzapur and the third at Almora—and we all perhaps do not know that the American Mission has cut down its grant by 20 per cent. all round, and you can well understand that, as a result of this, the missions will have to close down several colleges and other mission institutions. In these circumstances, I think Government might have been more lenient.

I now come to the Medical department. It is a popular belief that dispensaries are not so much patronized by the poor as they should be. Had that not been the case, we could not have heard in this Council the cry for indigenous medical institutions and indigenous drugs. In fact, I make bold to say that it is generally believed that in these dispensaries coloured water is given for real medicine and that is the reason why the poor who go to these dispensaries have not benefited as they should have. Along with this I have got another grievance. I understand that medical institutions carried on by missions are not so well helped as they should be. In this city, we have got a very flourishing medical institution under the Zenana Medical Mission. They were recently put to so much monetary difficulty that they had almost made up their mind to close down, but fortunately they thought it proper that their work should be carried on. I asked the Hon'ble Minister to go into the matter of contribution to these mission medical institutions.

I am still harping on the old subject of the Almora consumptive sanatorium and I find in this budget no additional grant has been thought of. Then I think, Sir, nothing has been done by the Medical department or whatever department it may be—perhaps the Public Health department—for lepers. The committee which was appointed to consider this question sat some years ago, and so far I find no resolution has as yet been passed by Government. I think that little matter cannot take five or six years for the Government to consider. Have they made any attempt to try those special treatments and special medicines that have recently been before the public? I think the department should have tried them and should have been able to make a statement on that subject.

Now with regard to the Excise department, I find it is controlled by an Hon'ble Minister who believes in total abstinence. It

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seems to me that the head of the department is also a total abstainer. I leave it to the Hon'ble Finance Member to quarrel with the Hon'ble Minister and find out how he expects to get an increase of 21 lakhs in this department. He seems to think that in the year to come on account of a better harvest and a fall in prices and a growing desire for beer will add to the finances of excise. I think nothing will be gained unless the Hon'ble Minister changes his heart in respect of excise. If there is expected to be a deficit of 15 lakhs the only department that can, I think, bear it is the Improvement Trust. The administration of these departments in different cities is very costly. It passes my understanding why the officers should be remunerated by thousands—Rs. 2,000 or more—monthly in salary. I think a halt should now be called in this direction. Last year I brought forward the subject before the Council. I was assured that the matter was under consideration, but I do not know if the matter has come to a head and the Government has come to any conclusion.

Now we come to the question of taxation. I, for one, do find some heart to promise support in respect of the taxation on motor vehicles. But I do feel great diffidence in supporting the entertainments tax. It is true that such a tax is levied in England and also in some provinces in India. So far as the entertainments tax is concerned, there may be some sort of idea that those persons who have money to pay for those shows will spend a little more to help the Government. But so far as the taxation on betting is concerned I for one do not think it proper to support it. Betting is an evil and I think Government should be very slow in making use of such evils in order to swell its revenues. If they do so, the time will come when the Government will think it proper to issue licences to public women. I think that taxation on betting should be regarded in the same light as taxation on public women.

Dr. Shafa'at Ahmad Khan : I do not employ the language of convention when I congratulate the Hon'ble Finance Member for the lucid statement which he has presented to us. In the budget statement he said (I am referring to page 4 of the budget statement) that economies to the extent of Rs. 1,91,71,000 had been made, but the Hon'ble Finance Member acknowledges that the real economies amounted to Rs. 1,22 lakhs only. Out of this Forest contributed Rs. 29,96,000 and the Police Rs. 22,17,000. I think if the honourable members know the reason for the economy effected by the Forest department they will find that we cannot congratulate ourselves upon it. The Utilization circle, which was started with such a flourish of trumpets and the account of which you find in the proceedings of the Council for the years 1921-22-23, has disappeared, after all. You will find accounts, glowing accounts, presented by Mr. Billson. So that, so far as the Forest department is concerned, I do not think we have any reason to be very thankful for the economies effected.

In the next place take the Police department. The economies effected in the Police department are substantial, I admit, but the almost apologetic statement contained in the memorandum supplied

to us does not re-assure us on that point, as I will try to show. The economies that can be effected in the Police department are very large indeed, and we can save quite an appreciable amount by carrying out the recommendations not only of the Economy Committee but also the proposals advocated by the Police Association in 1923. The total saving therefore amounted to Rs. 1,22 lakhs, but the Hon'ble the Finance Member admits that in addition to these items (I am referring to page 4 of the budget speech) the estimates for next year include Rs. 26 lakhs for new expenditure. The economies effected really shrink and we are disappointed at the little achievement we can show. The hopes of the public had been roused when it heard of the appointment of the committee, and we had been told not for one year but for two years that considerable economies would be effected. If you read the speech of the Hon'ble Sir Ludovic Porter in 1922, you will find references to approaching economies. Now, when we compare the economies effected we find that after all it comes to very little indeed. The silent and slow stream of wealth that has been pouring from the pockets of the tax-payer into the Government passed unnoticed for a very long time until it met rocks and shoals, and then, and then only it was found that a very large amount of the expenditure was most unnecessarily incurred.

The second important point to which I would like to draw the attention of honourable members is the question of the estimates. This year the Hon'ble the Finance Member admits that the estimates have been falsified. If this phenomenon had occurred only this year it would not have produced any surprise at all. But if you compare the Revised Estimates and the Budget Estimates you will find that the same tale was told in 1921, 1922 and 1923. What were the reasons? I do not say that it is possible for every estimate to be mathematically correct; I know it is very difficult indeed, but I think if the estimate is based on the average not of six months but of one year it is likely to be more correct. In the budget for 1922-23 revenue was worse than the budget figure by Rs. 51,70,000, while the expenditure charged to revenue had risen by Rs. 50,50,000; so that the deficit amounted to Rs. 1,20 lakhs. In 1923-24 the revenue was worse off than the budget figure by Rs. 43 lakhs. Now, the present budget is no exception to the rule. The Hon'ble the Finance Member says that this was due to over-budgeting. I acknowledge this. But does it not also show some lack of enterprise, some lack of driving power in the departments, some lack of constructive programme, which will ultimately infuse new life into the work of the departments? Over-budgeting, of course, may be noticed, but it also connotes certain lack of that driving power to which I have referred.

In the next place, there is the question of the approaching economies. In the budget statement of the Hon'ble the Finance Member which I have been trying to compare and analyse very carefully I find—I am not sure I am right—I do find a certain amount of inconsistency with regard to the economies which we are going to effect. Let me read the following paragraph from page 7 of the budget statement: "I think we can now fairly claim that we have, so far as the immediate future is concerned, exhausted possibilities of economy." Does it refer only to the resolution issued by the Government or does it also imply further economies which the Council can, and will, effect? This is my question,

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Then, if we compare this statement with the statement in the budget memorandum, page 31, last line, it is stated : "It is hoped to give effect to other of the Economy Committee's proposals during the course of the budget debate by moving reductions of the demands." I do not say that it is inconsistent, but I do think that it ought to be made more explicit. My own impression is that one does not hold out any hope of substantial economies. What will the members do? The only thing that we can do is to press for the complete fulfilment of the hopes that were raised by the publication of the report of the Economy Committee. I hope that all the members of this Council will press not only for the carrying out of the recommendations contained in the resolution of the Government, but also the further economies suggested by the Economy Committee.

I now come to some of the proposals with regard to the several departments. I begin with the Education department. So far as the Education department is concerned, I will take the universities first. The question of the universities has been complicated by the multiplication of these universities in these provinces. We have got four universities and we are going to have, I think one more, so that we will have five universities in these provinces. This involves serious economic consequences and also educational consequences. In the first place, if the graduates are manufactured at the rate at which they have been in the past, how are you going to provide for all the products of these universities? In the next place, the more important question which this Council will have to take up and on which I have already sent a resolution, is the question of co-ordination of work of the different universities. And this co-ordination will have to take into account not only the equivalents of the standards, but also of the economies which can be effected in the university budgets. I am perfectly convinced that if a proper scheme of co-ordination is drawn up there is no reason why we cannot maintain a very high standard in these provinces. I may here say that already there is a suspicion in the minds of the people of other provinces that the standard in these provinces is falling, and if we want to prevent that, if we want to keep up the standard and also to organize our research work on a proper basis, we must have a committee of co-ordination to co-ordinate the work of the different universities. I may add that the Bengal Government has appointed a permanent committee for the purpose of co-ordinating the work of the universities of Dacca and Calcutta.

I now come to secondary education, and here I have to refer to the brilliant suggestions made by Mr. Fremantle in the appendices to the chapter on education. We must move, so far as the question of the development of secondary education is concerned, with the greatest amount of caution, and our policy should consist in consolidating the gains we have achieved and not in building and making provision for more colleges. We have sufficient colleges. Now we must pay attention to the quality. I have inspected some of the Intermediate Colleges, and I think that the amount spent is very well justified, but I also think that we must cry halt to the further development of the idea of intermediate education.

I come next to the question of primary education. This seems to be the fundamental question, a question that I must say has not attracted

sufficient notice at the hands of the Government. If we go through the debates on primary education for 1921, 1922 and 1923, we find the old case trotted out again and again. In 1921 we have the amount absorbed in other directions. In 1922 we have got other reasons and explanations. There is no constructive programme; there is no march forward; no bold programme chalked out and consistently and carefully followed. Let me draw the attention of the honourable members to the amount of work achieved in the Punjab, the five-year programme mapped out for the development of primary education in the Punjab. Take the work in any year, and compare it with the work achieved here in the same year. I must acknowledge that the difficulties here have been much greater and that it was almost impossible for the Ministry to realize the ideal, but I still think that primary education has become the Cinderella of the Government departments, and it has not received that attention which it deserves. Our policy ought to be to try to introduce compulsory primary education in all the municipalities. This is the first step. The next step will be to introduce compulsory primary education in the district boards. I acknowledge it is very difficult to try to achieve the object so far as the district boards are concerned, but I think that if it is applied in the municipalities as a first step it will be attended with great success.

Next I have to refer to the uneasiness produced among the Muslim public by the threatened abolition of the Deputy Inspectors of Muhammadan Schools. I hope the Hon'ble Minister will re-assure all the members of the Council with regard to this question. I have received numerous telegrams and letters with regard to the possibility of the extinction of the Deputy Inspectors of Muhammadan Schools. I admit that the work they do is not very efficient, but I think that, instead of abolishing the Deputy Inspectors as such, we ought to try to make them more efficient; we ought to try to make them more popular. In the next place, it will surprise a number of members to hear that they have not been confirmed even after putting in eight years' hard work. They were appointed on probation eight years ago, and they are still on probation.

There is one important point which, I think, requires the attention of this Council, and it is the question of maktabs and Islamia schools. If honourable members will refer to the regulations regarding Islamia schools under the District Board published in the *United Provinces Gazette* of June 27, 1919, they will find that there is a provision that the District Board shall form at the headquarters of the board a Muhammadan Educational Committee to advise and assist it in all matters concerning Islamia schools and maktabs. The proposed rule, however, published in the *United Provinces Gazette* of January 26, 1924, reads as follows:—"If the Board forms a Muhammadan Educational Committee and an Education Committee, the recommendations of the former committee shall be referred to the latter committee before being taken into consideration by the Board." The word "if" here simply kills the whole project as formulated in 1919. That project had become so popular with the Muslim public that the news of its disappearance will be heard with the greatest regret by all Muhammadans in every district. My own opinion is, and I think it is shared by a large number of Musalmans here, that one important means whereby primary education

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can be developed among Muhammadans, is the utilization of the income of private waqfs towards this end. Without that help, it will be impossible for us to develop primary education consistently and thoroughly, and I hope the resolution passed by the Council almost unanimously will be acted upon by the Government soon.

With regard to the department of Co-operative Credit Societies, I only wish to submit that we must try to make it popular. We must try to transfer some of the functions of the Registrar of the Co-operative Credit Societies to non-official bodies. The co-operative movement is essentially a democratic movement. It depends ultimately upon the national inspirations and ideals, and if it remains under Government control for a long time, there is no possibility of its doing anything substantial to improve the lot of the people. Honourable members will probably remember that the co-operative scheme was introduced by the Government of India in 1904, and that it has remained practically under Government control up to the present time. The history of co-operative movement in Germany, England and Ireland shows that it will be very useful to us if some of the functions now performed by the Registrar are transferred to local bodies.

I invite the attention of the Hon'ble Minister to the possibility of starting an inquiry into the consolidation of agricultural holdings in these provinces. I should like the Agricultural department to start an inquiry, and to find out the possibilities of the development of agriculture in these provinces. I might add that an inquiry of a similar nature has been attended with great success in the Punjab.

With regard to the Improvement Trusts, I would request the Hon'ble Minister for Education and Local Self-Government to reconsider his attitude. I think there is a very strong feeling in Allahabad and at other places that the post of the Chairman of the Improvement Trust should be made honorary, and that he should not be a paid officer.

Lastly, I should like to suggest to the Government a scheme for the recruitment of the clerical staff in all the departments of the Government. I propose that an examination board be constituted for the whole province. I have especially in mind the second division clerks and the intermediate clerks, who are supervised by the Civil Service Commissioners in England.

If we could have a central bureau for holding an examination of clerks of all departments it will do away with a good deal of favouritism that is going on. It will also co-ordinate the various grades and functions which are performed by the clerks.

Pandit Govind Ballabh Pant: I do not find anything remarkable in the budget which persuaded members of Council to congratulate the Hon'ble the Finance Member. All the same I fully appreciate the lucidity of the exposition as reflected in the documents that have been prepared by the Financial Secretary.

Coming to the budget, I do not know if it would be worth while to suggest that in Table A the income from forests should be shown net and not gross because that gives a false idea of the provincial resources.

The second thing I would suggest is that the interest levied on account of irrigation works should be reduced from the net revenue which is shown under that head. On the one hand it is said to be net, and on the other in the estimates we find an entry on account of interest. I hope that in accordance with the recommendations of the Economy Committee the Government will issue detailed estimates in respect of the different estates included in the Government estates. I do not know if it would tax the Finance department too much, but I think an appendix giving the total grants specifically mentioned in detail to the various district boards and municipalities might usefully be appended to the financial estimates.

I will address myself to three or four questions which naturally arise out of the budget. The first and foremost is the consideration of the financial situation. I think those who have studied the narrative given by the Finance Member must have felt very uneasy. Before the Montagu-Chelmsford scheme was introduced we had days of divided heads and grudging doles. This was followed by the Financial Relations Committee's recommendations which were likely to give us a net revenue of about a crore and a half, and the predecessor of the present Finance Member said that they fetched more than that. There has been not only a windfall of revenue, but transfers have been made to capital side of expenditure which was formerly shown under current revenue account. In addition to that there were accumulated balances which had been collected during the war and which were at the disposal of the Government when the war came to an end. In addition to financial measures there were executive measures by which fresh revenue was raised in the form of increased irrigation rates, registration charges, copying charges, and so on.

In spite of all this, when we see that there has been an overdraft of more than a crore and a quarter or which is likely to exceed that if no financial bills are accepted this year—and I hope they will not be—then I submit that it is a matter for great concern as to where we are drifting to with all these resources. Is it permissible for any Government to come forward under these circumstances and say:—"We have not been able to carry on?" Is there any justification of the extravagant expenditure of all this money which had been received after years of waiting? I submit that it is a sad commentary on our system of administration that, when after the conclusion of the war countries have been releasing millions and millions of money in order to give relief to the tax-payer, measures should be introduced in our Council for enhancing the burden on the already broken back of the wretched tax-payer of India and specially of these provinces. The Government comes forward and says—"We have tried to make economy." I do not deny that figures do show that economies have been made in certain lines. But there are misconceived principles on which economy and retrenchment can proceed. In spite of all this vaunted talk of economy, the bill of Imperial Services has been increasing and the axe has been applied to the petty peons, clerks and others of that class. We have recommendations for the abolition of Commissioners made long ago. We have recommendations of the Public Works Department Re-organization Committee for effecting economies in the Public Works department, but in spite of that nothing has been done in these directions, and when I took

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a little trouble over the budget I found that the current non-voted expenditure in the nature of establishment alone exceeds the budget figures of 1923-24, though the revised estimates for that year fell short of the budget as it was estimated at the outset. I am not going to give details, but I may say that I have taken care to exclude the sinking fund, the contribution to the Government of India and all charges of that character in making these calculations. Then there is one important point which must be borne in mind when we think of economy and retrenchment in our services. We have no measures resembling "poor relief" in this country, we have no old age pensions; we have no measures of combating unemployment. The middle classes have been struggling too long and they have not been able to find any place for earning a living wage. We have thrown so many millions into the wilderness, but what have we done to save these people from starving? Some of them came to me and asked me what to do. I said: "Section 109 of the new Code only prescribes simple imprisonment, so there is that opportunity for you." But the difficulty came when they spoke to me about their families. They told me that they have been relying on the good faith of the Government for a long time and it was too late for them now to begin afresh. I submit that the economy which sacrifices lean kine in order to fatten the fat ones is not economy of the right sort and if we really mean economy then it must be on a rational basis. As to the taxes that have been imposed, I think time will come when we will get an opportunity to give expression to our own views. This is the present state of finance.

Then further questions arise, what are our requirements and what are our resources, is there no remedy, is there no solution of this problem? The masses are devoid of even a hand to mouth living. We have got abject poverty facing us. The other day I met an American gentleman. I asked him what was it that struck him most in this country? He said—"The inconceivable poverty of the masses." That is the problem before you. There is the appalling death-rate; there is the deplorable infantile mortality; there is the unceasing deterioration that is shown by the census figures as they are returned decade after decade showing that the population of these provinces is going down. The methods of agriculture are quite antiquated and the productivity of soil has gone down. There are practically no industries worth the name. The pressure on land is growing day by day. There is, I submit, much leeway to be made up. To talk of the little increase that has taken place in education expenditure as an achievement is not creditable. Increase in expenditure on education under the reformed constitution is, I submit, not quite out of proportion with the expenditure incurred in the pre-reform days if you compare the present expenditure with the figures of 1918-19 and a few years before that and keep in view the total revenue of those years. What do we find? We have added to our expenditure by more than 70 per cent., and yet we have got to make up almost all the leeway that we had to make up before. It is no use saying that the percentage of literacy is one per cent. more than it was five years before. The question is when the remaining 90 will be made up. Can we afford to wait for 450 years at this rate? It is no use telling us that we have got two tube wells. The question

is, how many hundreds of years will be required to have them in so many more places? In this connection I submit that the policy of this Government in respect of local bodies as illustrated in this budget has always been niggardly and fundamentally wrong, if I may be permitted to say so. We have proceeded on the new world model; but we belong to the old world and ours is an agricultural country. In fact all that is worth living for and all that is capable of contributing to the betterment of the agriculturist is dependent only on the solvency of the district boards. Propagation of knowledge, promotion of health, extension of communications, introduction of sanitary measures, and everything that can make his life better than it is today, can be expected only if the district boards are well financed. We have got the false shibboleth that district boards should be self-contained. I know of countries where almost the whole of the land revenue is assigned to these bodies and the grants made to them are of a substantial character. Here on the one hand the Provincial exchequer appropriates almost the whole of the revenue from land which alone can be the source of real revenue in rural parts; on the other hand it asks the district boards to find funds for discharging the above stated national functions. That is obviously untenable. In this connection I submit that the revenue necessary for these beneficial purposes should be the first charge on the Government funds. Everything else must come after that. There should be a distinct provision that if there be no money for carrying on the programme of work laid down, then Government should borrow. Government borrows money when it has to meet expenditure for the purposes of the police; it borrows money when it has to run sedition cases. I submit that this theory about local bodies is absolutely wrong and it should be mended at once. I know that petty doles have been given from time to time; but my contention is this that they have been dependent on surplus which Government has not been able to put to any better use. My submission is that it should be the first charge on the revenues of the province, and if the revenue does not come up to the standard, then there should be absolutely no hesitation on the part of the Government to raise money by loan if other sources are not available.

Sir, I submit that we require lots of money for covering the ground. The resources that are at our disposal are of a very limited character. The props of revenue are inelastic. We have been relying on land revenue, excise, stamps, irrigation and forests. So far as forests are concerned the last three years have been giving us returns much less than what were anticipated even at the time of the budget. I cannot deal with this subject of forests in passing and may have to refer to it later. I am happy that it has been so under Excise and I shall be happier indeed if the whole thing is turned down today. Land revenue, I submit again, with due deference to the Economy Committee, has got little margin for expansion. If you compare the figures for the last 25 years, the fact will be patent that there is not much room for expansion. In fact in our country land is over-assessed. The poor agriculturist has been giving more than 30 per cent. to be divided between the zamindar and the Government. In other places the assessment hardly goes above 10. But, apart from these comparisons, the fact is there that the man is too poor to give you any more, and there the whole controversy ends. It is no use entering

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into the academical points whether it is rent or whether it is a tax. The fact is there that the man is half dead and unless you want to kill him outright he cannot give you more. The prices that are falling are not making his position in any way easier. There is little room for any increment under other heads. For taxes there is no room and for that no better proof is necessary than this that the income that had been estimated from the financial measures that have been introduced from time to time has often not come up to the calculated figure. The actual outturn has fallen short of the anticipated estimates, which goes to show that the man has no capacity to pay when he is already over-taxed, and that there is no reserve is proved by the fact that the fresh field which the ingenious Government has been able to discover is likely to bring in only a lakh of rupees!

Then, Sir, the question comes wherein lies the solution. I submit that under this state of things partial measures can be of little avail and petty patchwork cannot carry us forward to the goal which we have in view. A little cut here and a small addition there will not do. We require bold measures, courage should be taken in both hands and the situation should be faced with earnestness, with boldness and with a determination to solve the difficulties that are facing us. At present we have a top-heavy, cumbersome system. Well, there is the "steel-frame" and there are so many links between the people and the frame, there are so many intermediaries coming between, there is the chain which connects the frame by passing round the belly and the neck of the poor man who sustains the heavy fabric. What we desire is a simplification of the system, transfer of the control from the bureaucracy to the people. There is only one remedy and that lies in simplifying the process. In the provinces there should be none between the Government and the district administration. The district administration should be in close touch with the people and should be carried on with the co-operation of the district advisory councils or whatever it be. All control in respect of provincial heads should be transferred to the provincial legislature immediately and it should be freed from the trammels of the Government of India or the Secretary of State who claims to be the principal of the agent. Apart from that there should be Indianization and provincialization of services with the introduction of the Indian standard. It is sometimes urged the salary that is paid to the higher services does not consume too much. This argument has been effectively met, and I have no time to dwell on it, but there are aspects other than material which also should be taken into account. This system places a false standard before everyone who joins the administration in the country. Nobody feels satisfied with what he gets. He says, "so and so is working like me and is getting so much while I am underpaid." There is discontent all round. There is this moral aspect of the question which should not be lost sight of. Apart from that, the time has come when there should be stoppage of recruitment from England altogether. There is no question of racial bias in it, but there are these financial questions that are facing you and none can roughride the inexorable laws of finance. I submit that there can be only one method of administration, and that is by bringing it into touch with the people. This top-heavy system is altogether out of date. It is an anachronism which cannot

stand the weather of the time. We must delegate all the powers, so far as possible, to the Indian administrator at the spot so that he may not require so many other checks and counterchecks above himself. Complete provincial autonomy should be introduced at once. Nothing short of autonomy can be of any avail.

The Hon'ble the President: The honourable member must confine his remarks to the budget.

Pandit Govind Ballabh Pant: I am making suggestions, Sir, with a view to improving the financial position of the province.

The Hon'ble the President: The suggestions are too wide.

Pandit Govind Ballabh Pant: These, Sir, are the submissions I have to make in respect of the main questions arising out of the budget.

Thakur Jagannath Bakhsh Singh: I rise first to congratulate the Hon'ble the Finance Member and the members of the Finance department, as my predecessors in this house have done today. If the Financial department deserved our congratulations last year for the completeness of their figures and their elaborate explanations of the budget, they do so more this year, because from a comparison of the budget of this year with that of last year we find, Sir, that the budget before us is certainly an improvement, and a remarkable improvement, on that of last year. I would go into a little detail on this subject and enumerate my points. In the first place, I think, as I have said, that the budget is more complete in its figures and explanations this year than it was last year.

The Hon'ble the President: The Hon'ble the Deputy President will take the chair.

Thakur Jagannath Bakhsh Singh: Secondly, our congratulations are due for a surplus budget before us as far as the revenue and expenditure charged from revenue is concerned. The third point is, Sir, that I find that the minimum of our balance has been reduced from 35 lakhs to 30 lakhs this year. Referring to the speech made by the Hon'ble the Finance Member—he said:—“Our minimum balance would be somewhere about 30 lakhs.” I think the honourable members—the old members of this House—remember the speech of Sir Ludovic Porter delivered in 1921 when he said that a minimum balance of 35 lakhs would be necessary under the reformed constitution. The fourth point that is new in the budget this year is, Sir, the full utilization of the Famine Insurance Fund. The Famine Insurance Fund has not yet been so fully utilized before as it has been this year. These are, Sir, I beg to submit, certain new features of the budget that is before us.

I would now deal with the revenue side of the budget. I have already complimented the Finance department for the completeness of the figures, but I hope I will not be misunderstood if I suggest that certain more explanations and some more figures are required still in the budget. These figures, I submit, Sir, are first concerning the subsidized companies. In the revenue side we see an amount of about Rs. 1,60,000 income from the subsidized companies, but I think that if any honourable member would like to find out from the budget before us what

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investment was made and on what amount that income is realized, this budget would not enlighten him on that point.

The second point is—I am sorry the Hon'ble Minister concerned is absent, but at the same time it is a pleasure to see the Secretary of that department here—concerning the Agricultural department. In the past years it was impressed upon this House that certain figures of detail were necessary concerning certain departments and agriculture was one of them. I remember that in those days the figures for the Agricultural department were not so elaborate or so much in order as they are in this budget. But then I submit that the budget still requires some more details of that department. We want to know particularly what income is derived from different investments that we make in this department—in running certain demonstration farms or running certain other business ventures connected therewith. The third point about which I think some more explanation is necessary is the Famine Insurance Fund. A layman, at least, finds it the most confusing item under the demands. It seems to me that there are certain items of direct expenditure which have not been dealt with as direct expenditure. I mean to say that there are certain items of direct expenditure which have not been taken in the statement "C." And the last point in this category is the appropriation demand No. 5. It is, Sir, concerning payment to the Central Government on account of this Government's share of the cost of training forest probationers in England. I submit that this is a direct expenditure and it ought not to be on the non-votable list. Now coming to the revenue side I have very few remarks to make and these will be very brief. I do consider that the income estimated under the Excise department is a bit optimistic. From our past experience we have seen the department paying less and less to the Government, and it would not be, I think, a very sure figure to count the income which we do count from this department. Under the head irrigation I think the estimate is a bit pessimistic. Not being an expert in these matters I think some more figures and explanations are needed in order to convince the House on that head. Then under Revenue, I would submit that interest should also be paid on the amount which is spent from the Famine Insurance Fund on Protective Works.

Mr. E. A. H. Blunt : That is so.

Thakur Jagannath Bakhsh Singh : The Hon'ble Finance Secretary informs me that is so. Perhaps it is my mistake. Having finished with the points concerning Revenue, I would take the matters dealt with under the list of Appropriation demands. I would not speak a word about expenditure, as that can be dealt with in the estimates. Under that head there are five such items called Appropriation demands. I would take the first, that is, the contribution to the Government of India. It was disappointing to this House that a resolution moved by an honourable member on this subject could not be discussed that day for want of time, but I think it would have been more premature to discuss that item that day than it is today. I mean after the budget of the Government of India has been placed before the Assembly. We are now in a better position to know what the

financial position of the Government of India is and how far we can expect a reduction in our contribution. We practically know what that budget reveals to us and how we stand as far as any reduction in our contribution is expected. I agree with those who think there is very little chance of any reduction in our contribution. But I think our representatives in the Government of India should be reminded that any reduction in the contribution will be a better relief to the population than any direct reduction in the salt tax.

Then, Sir, there is Appropriation No. 4. We find that we are only transferring 3 lakhs towards the sinking fund, but it is mentioned here that we have to give Rs. 6,37,000.

Mr. E. A. H. Blunt: That is a misprint.

Thakur Jagannath Bakhsh Singh: This, I am told, is a misprint. 37,000 is, I think, the interest on our past investment. So a misprint of 3 lakhs clears the situation.

Now I come to almost my last item. Concerning the closing balance I have only one question to ask, and that is why we are keeping a closing balance of Rs. 1,50,000 under provincial advances. From the history of this item it appears to me that before the Reforms were introduced in this province a loan of 2 crores and some lakhs was taken by this Government from the Government of India for provincial advances. This is the balance of that loan, if I am correct to say so. I beg to submit that we are paying interest to the Government of India on this account and we are keeping it in our closing balance. I find that this amount stands at the present time, i.e., under the head opening balance, as Rs. 3,08,000. It is expected to spend about half and then it will remain Rs. 1,50,000 at the end of this year. My submission is that this Rs. 1,50,000 should also be advanced and we ought to get interest on this amount as well. I have practically come to the close of my speech, and at this stage I would only make mention of taxation to a certain extent. I admit that I do not see any brighter prospects of reducing taxation than this year. In the face of our liability of 129 lakhs that we have overdrawn from the Development Loan it is very difficult for me to find out any means of reducing or doing away with the taxation that we passed last year. Besides taxation, as I have already said, we must know that we have to make good a deficit in the revenue account of 129 lakhs. The only way that comes to my mind is if we can persuade the Government of India to forego at least one instalment of the 25 lakhs that we have agreed to pay for 12 years. If that is possible, then surely I think the Government can reduce taxation by that amount; otherwise I know the estimates of expenditure will come before us after a few days, and if we make any reasonable and substantial cuts in the expenditure, all that money will go to make good this revenue deficit. I do not think the House will be able to make cuts of 1,29 lakhs in this budget, then where shall we find money to reduce taxation? But it is premature for me to think of any reduction in expenditure, and I shall, therefore, wait on this point till the estimates are granted.

With these few words I conclude my speech.

Pandit Yajna Narayan Upadhyā asked the permission of the Chair to speak in Hindi as he could do so more fluently than in English.

The Hon'ble the Deputy President: This may be allowed if the honourable member is not able to express himself in English.

Kunwar Jagdish Prasad: May I inform the House that the honourable member is a graduate of a university of this province.

Pandit Yajna Narayan Upadhya: I admitted that I could speak in my mother tongue more fluently than in English. I do not desire to speak in English.

Pandit Nanak Chand: I beg to associate myself with those speakers who have congratulated the Hon'ble Finance Member on producing a lucid statement of the budget. It strikes me that it is not only lucid but it is also a skilful and a clever statement of the position of the provincial finances. My friend from Meerut and Aligarh has gone very elaborately into the figures, and I will refrain from the temptation of going into those figures over again, because I think that I cannot add anything to the masterly contribution which he made this morning. I would like the Hon'ble Finance Member to give some information when he closes this discussion as to what will be the conditions governing the transfer of the Famine Insurance Fund for the purposes of expenditure. We have been informed that this year a sum of Rs. 58,05,000 will be utilized from the Famine Insurance Fund to meet certain items of expenditure. We know that under the Devolution Rules the Government is required to make contribution to this fund to the extent of Rs. 39,60,000 every year. I would like to be informed whether similar amounts from the Famine Insurance Fund will be available in future years for meeting expenditure as has been proposed for this year, under the heads detailed on page 3 of the Hon'ble Finance Member's statement. We have been told that the overdraft on the loan has increased from Rs. 1,26,55,000 to Rs. 1,29,61,000. Some of the honourable members have already drawn attention in the past to the undesirability of drawing upon the capital loan for meeting expenditure which ought to be met from the revenue account. There have been decreases of expenditure under the heads debt charges, forest and stationery. Stationery, of course, counts for very little. While comparing the economies effected in the transferred departments and those effected in the reserved departments it has been pointed out that most of the economies have been due to the contribution of the reserved departments. I acknowledge that some of these economies have been effected by the reserved departments; and I also acknowledge the fact that the economies in the transferred departments have not been as great as could be expected from the reserved departments. It is mainly due to the fact that these reserved departments were always taken care of very scrupulously by the Government in years past and their expenditure was considered to be more important than that of the transferred departments, which were really starved. The present financial statement by the Hon'ble the Finance Member has thrown out baits to the members of the House to ensure that the taxation measures are passed by them. On the one hand, a tempting bait has been thrown out to the members of the House hailing from Oudh promising that the Government intends to give effect to their wishes to have a Chief Court for Oudh. No reference appears to have been made to the recommendation of the Economy Committee in this respect. Then the other important bait that I wish to refer is about the separation of judicial and executive functions. As has been very

elaborately pointed out by my friend Rai Sita Ram Bahadur, we are not yet in sight of the scheme materializing, because in spite of the fact that the Local Government had sent its views to the Government of India we are not yet in a position to say that we will be able to give effect to that scheme within this financial year. Unless that scheme is before us, I think honourable members of the House need not be led away by this tempting offer of the Hon'ble the Finance Member into accepting these taxation measures. I consider that it was also by way of bait that the Hon'ble the Finance Member said that he would give effect to the wishes of this House in the matter of reducing the irrigation rates. In the debate the other day he remarked that he would be prepared on behalf of Government to state that they would be prepared to reduce the rates to the extent of about Rs. 5 lakhs. I think the amount by which the Hon'ble the Finance Member was prepared on behalf of the Government to reduce the irrigation rates is not enough, and as I said the other day, I regarded that statement as unsympathetic as it was conditioned on the acceptance by this House of the Government's taxation measures. We have been, Sir, threatened in this respect by the Hon'ble the Finance Member that if these measures are not passed cuts will be effected in the transferred department.

We would have been gratified to learn from the Hon'ble the Finance Member if he had stated that if the House did not agree with the Government in giving sanction to these taxation measures, economies or retrenchments will be affected in the transferred as well as in the reserved departments. But I may be excused by the Hon'ble the Finance Member for using the expression—I was struck by his step-motherly solicitude for the transferred departments. He admitted that these departments badly required assistance from the Government, at the same time he has expressed that if the Council did not give sanction for these three old taxation Bills along with the new proposed taxation Bill for amusements he will be forced to effect cuts in the transferred departments which as they stand are already unduly starved. The Council was given to understand that economies in the reserved departments have gone to a level beyond which it is impossible for those departments to go. I venture to think that it is not a satisfactory statement. The Government have issued an interim resolution on the report of the Economy Committee. To give only two instances out of many instances the Government have brushed aside in one sweep as if it were the recommendations made with regard to the Police department. Similar has been the fate of the recommendation of the committee about the abolition of the office of Chief Secretary who, I personally think, has to discharge many responsible and onerous duties. But I fail to understand the significance of the word "chief" in his designation. I do not wish to institute any comparisons between the duties and importance of the Chief Secretary and the other Secretaries to the Government. I personally think that such cases which the Government have summarily rejected will be reconsidered by the Government and they will see their way to modify their decision and give effect to the recommendations of the committee.

Then, Sir, coming to the questions affecting the conditions of the masses living in rural areas I find this budget is absolutely bankrupt in imagination about their requirements and has made no provision for

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their welfare. Only the other day the Hon'ble the Finance Member was pleased to refer to the rise in the standard of life in rural areas. That might be his opinion. But judging from the surroundings and the condition under which the majority of the cultivators live in the villages, I venture to think that their standard of life has not gone up to any appreciable extent. The Government might have spent any amount of money, in crores and lakhs, over improving communications between and for big towns or municipalities, but what has actually been done in order to improve means of communication in rural areas? What has been done by the Government and what is proposed to be done to improve the sanitation of rural areas? What is proposed to be done by way of improving or providing more facilities for primary education in rural areas? On these points I find the budget absolutely disappointing.

The Deputy President: The honourable member must conclude his speech.

Pandit Nanak Chand: I am about to do so with your indulgence. Then as regards the point which was referred to by one of the earlier speakers about the consolidation of agricultural holdings, I wish to draw the attention of the Hon'ble the Finance Member to the fact that some time ago the Government appointed a special officer to report on the question of consolidation of agricultural holdings. I understand the report was submitted by that officer long ago. That report has not yet seen the light of day and has not been published for public criticism. I would draw the attention of the Government to the desirability of publishing that report at an early date and also of Government considering the possibility of incorporating the recommendations either in the form in which they have been made or in some modified form in the proposed Agra tenancy legislation. If the Government takes up the solution of this question in earnest, I think they will have done a great service and laid the foundations for the improvement of agriculture. As my time limit is up I have to conclude my remarks.

The Deputy President: The Council will now adjourn for three-quarters of an hour.

After the adjournment—

Rai Bahadur Babu Vikramajit Singh: I am grateful to the Hon'ble the Finance Member and the Financial Secretary for the onerous work which they did in the preparation of the budget. I am also indebted to them for the copious explanatory notes which they gave us in order to understand the budget, and I admire the ability, the lucidity and the clearness with which the Government case has been presented by the Hon'ble the Finance Member. But the budget is not so attractive to me, as I always stand for retrenchment and economy, and from that point of view I find it somewhat disappointing. I expected a good deal from the labours of the Economy Committee in the matter of retrenchment and economy, and although I find that they recommended a number of retrenchments both in the reserved and the transferred departments, most of their recommendations in the reserved departments have not been accepted. Of course, the recommendations in the transferred departments have either been accepted or will be accepted in the near future to an appreciable extent. Sir, I congratulate the President and the

members of the Economy Committee for the courage which they showed in recommending the reduction of the pay of certain higher posts and of the abolition of some of the higher posts themselves, but I find that those recommendations have not been accepted by the Government. The most important recommendation which the Economy Committee made was that the salary of the Members of the Executive Council should be reduced to Rs. 4,000. Well, the acceptance of that recommendation would not have in any way affected the present incumbents. The Government, however, said that the salary of the Executive Councillors was fixed by the Secretary of State under section 85 (1) of the Government of India Act, and therefore the Governor in Council could not wish propriety intervene. But I submit, Sir, that if the Government wanted to agree with the recommendations of the Economy Committee, there was nothing to prevent them from taking the matter up to the higher authorities and placing the view of the Economy Committee before the Central Government and the Secretary of State in order to influence them to make a reduction in the salary. In the same way, I find that another recommendation of the Economy Committee with regard to the abolition of the post of the Chief Secretary, which was referred to by my honourable friend from Bulandshahr, has also not been accepted by the Government. It really appears to me that when all the Secretaries are independent of one another, the word "Chief Secretary" is a mere misnomer, and what is the good of continuing this anachronism when, as a matter of fact, the other Secretaries are not officially subordinate to the Chief Secretary? Again, if we turn to the Police department, we find that the Economy Committee recommended that the post of the Deputy Inspector-General of the Criminal Investigation department should be abolished and that the number of posts of the Deputy Inspectors-General of Police of the territorial ranges should be reduced to two. From the resolution of the Government it appears that it is not prepared to accept this recommendation either. The arguments put forward have been to a certain extent dealt with by my honourable friend Rai Bahadur Lala Sita Ram Sahib and it is not necessary for me to traverse the same ground again. But I may be permitted to say that the arguments would not stand examination as to why these posts should not be abolished. There was another recommendation of the Economy Committee about reducing the number of circle inspectors to 61. In this House year after year I have seen honourable members putting forward resolutions and making motions about the reduction or abolition of circle inspectors and I remember my friend the Hon'ble Nawab Sahib of Chhitari was also of opinion that the posts of circle inspectors should be abolished, but to my regret I find that the Government is not prepared to accept even that recommendation and says that it has reduced 37 circle inspectors according to the recommendations of the Police Commission and is not prepared to go any further. This shows the attitude of the Government that they are not desirous of making retrenchment in the Reserved departments of the Government. These two departments—the General Administration and the Police—appear to be their favourite departments and it is there that we find that they are most reluctant to allow any economy or retrenchment to be made. I think unless the Government takes courage and reduces the salaries of some of the high posts and abolishes some of the unnecessary posts which have been recommended either by the

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Economy Committee or by the Commissioners' Committee there will be no relief to the tax-payer from these perennial financial measures which are introduced year after year. It will be necessary to take some strong step in order to cut down expenditure and in order to balance the budget, as we find that year after year we are faced with these deficit budgets. When we turn to other departments of the Government, namely the Forest, we find, on page 33 that while the number of Imperial Forest officers has been increased from 19 to 22, the number of Provincial Forest officers has been decreased from 38 to 34. Of course the Hon'ble the Finance Member will be able to explain why the number of Forest officers has been increased under the Imperial Forest officers head. The Forest department has been attacked in this Council year after year and now we understand that the forest department is going to dispose of, or has already disposed of, some of the factories in which I daresay there must have been a great outlay. Of course we have not been furnished with any sufficient information on the subject by the Government as to what was the actual outlay of the factories which are going to be disposed of and for what amount they are going to be disposed of. All the same, it will be a wise step to get rid of these factories which have been a source of loss from year to year. So that although there may be a loss once for all, recurring loss may be avoided. In these years of financial stringency I do not see why the number of Imperial Forest officers could be increased from 19 to 22 when the department has been doing so far with only 19 Imperial Forest officers. That, I submit, appears on the surface to be inexplicable. Then a word about jails. A committee, I remember, was appointed some time ago to introduce some religious instruction for the Hindu and Muhammadan prisoners in jails, and I had also the honour of sitting on that committee and certain recommendations were sent by that committee to introduce religious instruction, but the Government on account of the financial stringency did not give effect to it. A resolution on the subject was also brought by Mr. Fazl-ur-Rahman Khan from Shahjahanpur, but that resolution was also defeated on account of financial stringency. I think, Sir, that the subject requires careful consideration at the hands of the Government and as soon as the funds permit, they ought to introduce religious instruction in jails, as it is necessary for their moral welfare. About the department of Agriculture I am prepared to say that I am as ardent a supporter of Agriculture as anyone else in this House, as I know that the prosperity of a very large number of people depends on this department. Millions and millions live on agriculture, but it is necessary that there should be no waste in the expenditure. As I come from Cawnpore, I have been watching the progress and the development of the department of Agriculture for the last 27 years. In the beginning I know that there used to be only one Director of Land Records and Agriculture namely Mr. Moreland, one of the distinguished members of the Indian Civil Service, who was then the Director of both Land Records and Agriculture, and there used to be one Assistant Director and one Deputy Director. But during this period a large number of Deputy Directors have been added to that department and it is very difficult to see what is the tangible result of a very large expenditure which has been multiplied in the Agriculture department. Of course it must not be understood that I am in any way against expenditure

legitimately incurred either in the department of Agriculture or in the department of Industries or for education. But what I really do deprecate is that there should be any waste in these departments, and the Government should see very carefully that the number of officers that are there are essential for the purpose of the Agriculture department. In fact in this House in previous budget debates I mentioned this matter and I repeat it again that it seems to me really necessary that the department should be thoroughly overhauled and the system, if necessary, modified. I do not think that I can reconcile myself with the present state of affairs, as no tangible evidence or proof of development or expansion is really forthcoming. I have also seen the recommendations of the Economy Committee with regard to the Registration department. They have recommended that the posts of some of the sub-registrars should be abolished and that their duties should be made over to tahsildars. The question of the dual control may be raised, but the point is whether such a consideration should prevent us from effecting economy in a department where it could really be had. If the post of sub-registrar could be abolished and the work could be done by a tahsildar, one could not stick to the consideration that the tahsildar would be both under the Transferred department and the Reserved department. It may also be said that cases may arise where his work as administrative and executive officer may be approved, while his work in the Transferred department may not be approved and then what would be the result? That may be a plea for transforming the Reserved department into the Transferred department, but it will not be a plea for not allowing an officer to carry on duties of both the departments if it is in the interest of economy and in the interest of retrenchment. I would also like to say a word with regard to Improvement Trusts. A very large sum of money, we know, has been spent over these Trusts either in the way of grants or loans in Cawnpore Lucknow, and Allahabad. From the figures that I have had occasion to examine, I find that the Allahabad Improvement Trust has been run on more economical lines than other Improvement Trusts, but I know more of the Cawnpore Improvement Trust, and I may be permitted to say that probably the scheme was launched there without considering the pros and cons. It was the duty of those who launched that scheme to see whether their scheme of improvement could be given effect to. We find that for want of water it is absolutely impossible to put up a new house or to metal a new road and therefore although 50 lakhs have been spent, the town stands where it was. It seems that no improvement has been made in the town; no congested areas have been opened; no new houses, except the office of the Improvement Trust and houses for the officers of the Trust, have been put up, and there seems no likelihood of any more new houses being built unless and until a better system of water-works is introduced, because the local municipal board is at present not in a position to give any new connection for water for building houses or metalling roads. I, therefore, really fail to see how the best use could be made of the activities of the present Improvement Trust. I hope the Hon'ble Minister of Local Self-Government would very carefully examine the schemes of the Improvement Trusts in order to see whether they could be made to work profitably. So far as matters at present stand, we find that there has been a fearful waste of money and the results have not been commensurate with that large

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expenditure. The expenditure, I think, should be cut down to the minimum if the Improvement Trust is to exist at all and schemes for giving better sanitation, for removing congestion, and for building dwelling-houses for workmen ought to be taken in hand in order to relieve the congestion in the city.

There is one thing which I beg to submit with reference to the separation of judicial and executive functions. My honourable friend, Rai Bahadur Lala Sita Ram has drawn the attention of the House to this matter, but it is necessary for me to draw the attention of the Government to the long delay which has taken place in introducing this reform. Last year the Hon'ble the Finance Member told us that, if the taxation measures were accepted, in the next year's budget money will be provided for the separation of judicial and executive functions. This year in his speech the Hon'ble the Finance Member has said that money will be reserved for this purpose, but we find that this reform, which has been long overdue, has not yet been introduced. We do not know who is responsible for this great delay, which is really causing anxiety and giving a certain amount of misgiving as to why this reform, which should have been introduced by this time has not been given effect to. In the year 1921 the principle was accepted by the Local Government; a committee was formed and the recommendations of the committee were accepted, but still we find that nothing definite has been done. We are told that the matter is pending with the Central Government. We do not know why in matters like this telegrams and cablegrams are so slack, because if it had been the case of a financial measure and if it had been necessary to get the assent of the Government of India, I believe 48 hours would have been enough. But the introduction of this reform has taken a very, very long time, and therefore I will ask the Government to be good enough to expedite the matter and in order to assure the House that they have done all that they could it would be much better to place at the table of the House all the despatches that have passed between them and the Government of India so that we may be able to know why this undue delay has occurred.

The Deputy President : The honourable member has exceeded his time.

Rai Bahadur Babu Vikramajit Singh : In two minutes I will be able to finish. The Hon'ble the Finance Member has said that all possibilities of economy have been exhausted, but I think it would be the duty of this Council to point out during the course of the debate on demands that there is still great possibility for retrenchment, and if I am permitted I may be able to make a present of Rs. 5,28,000 to the Hon'ble the Finance Member under the head of Land Revenue. We find that this sum has been provided for settlement operations; but this Council has ruled by a majority that the settlement operations should be suspended in the seven districts. Thus, here is the sum of Rs. 5,28,000 available to the Hon'ble the Finance Member for other expenses. In the same way I may yet point out another figure and make a present of it—Rs. 1,30,000 under the head of Forest Tramways. I do not think with our experience of the Forest budget this Council is going to entertain any such chimerical scheme involving an expenditure of Rs. 1,30,000. We know, Sir, that it is so easy to spend, but we get no return for it and consequently

I would rather like to stick to that money than to give it away for any new venture.

My honourable friend Rai Bahadur Lala Sita Ram has pointed out a number of things from which economies could be effected.

With reference to the financial measures which the Hon'ble the Finance Member has mentioned in his speech on the presentation of the budget, I would submit that last year we were told that these measures were only for one year but we find that we are faced again with the same difficulty. The Government wishes that these measures should be extended for another year. It has also been said by him in his speech that unless these financial measures are accepted, all the new expenditure under the Transferred departments will be cut down. I do not think, Sir, the Council will agree to cut down expenditure under the Transferred departments because the departments of Education, Industries, and Agriculture require certain developments and the Council would not like to cut down expenditure for these beneficial objects.

But large sums have been provided under many other heads and the Council will be able to cut down the expenditure under those heads. Finally, I would say that these financial measures have been put down for discussion on the 7th and 8th of March, which is rather premature. It would have been much better if these measures had been taken into consideration after the budget was settled, because then the Council will be in a position to see whether any money is needed for the purpose of carrying on the administration. I think, therefore, it would be much better that Government should not put these measures for discussion on the dates announced but take them up at the end of the budget. In the end I would ask the Government to economize the system of administration as far as possible so that the necessity of introducing these financial measures may be obviated.

Thakur Har Prasad Singh : began to speak in Urdu.

Mr. H. David : I rise to a point of order. The honourable member knows English very well.

Thakur Har Prasad Singh : No, Sir, I am not a graduate.

The Deputy President : It is not a matter of whether you are a graduate or not, but whether you can fluently express yourself in English.

Thakur Har Prasad Singh : I am not fluent in English.

Mr. H. David : Sir, those two degrees imply a fluent knowledge of English.

The Deputy President : I think we might take the honourable member's assurance that he is not fluent in English.

Mr. Mukandi Lal : Is Mr. David the historian of the swarajists?

Chaudhri Badan Singh began to speak in Urdu.

Mr. H. David : Sir, the honourable member knows English very well.

The Deputy President : Can the honourable member express himself in English?

Chaudhri Badan Singh : No. I cannot express myself in English.

Dr. Ganesh Prasad : I rise to a point of order, which may be able to save trouble every time an Urdu speech is delivered. Is my honourable friend Mr. David the Deputy President, or President, that he interferes.

The Deputy President : He can certainly rise to a point of order.

Dr. Ganesh Prasad : He does not say he has risen to a point of order, but just that so and so can speak in English.

The Deputy President : That is only for the sake of brevity. He does as a matter of fact rise to a point of order.

Dr. Ganesh Prasad : Before I make my observations on the budget I should like to make a few remarks by way of preface, by way of illustrating the position that I hold on the Reformed constitution. I believe that it is admitted by everyone that the system of Reformed administration has proved to be a failure. It has also been admitted by most Indians that the system is radically wrong. It is not a question of defects in administration, or defects in working the system, but the principles on which it is based. I believe in these provinces the Reformed administration was introduced with certain disadvantages. It is quite possible that any remarks that fall from my lips today may hurt certain gentlemen who were adherents and who are even now the adherents of the late Ministers of these provinces. In my humble opinion it seems to me that a very great mistake was made when the administration of certain departments, for example Education, was placed in the hands of the first Minister of Education.

The Deputy President : The honourable member must confine himself to a discussion of the budget.

Dr. Ganesh Prasad : I was going to make clear by these prefatory remarks the reason for our financial difficulties. I was going to say, Sir, that the first Minister of Education who was chosen to administer that department, was utterly unfit. It was a very serious mistake to have appointed him. It does have a bearing on the present situation and I will make that clear in the course of my speech. Mr. Chintamani's first encounter as an under-graduate of his university made him a casualty.

The Deputy President : This is not relevant to the issue before us.

Dr. Ganesh Prasad : I bow to your ruling, Sir. Would any references I make to the first Minister of Education be irrelevant?

The Deputy President : The honourable member must confine himself to a discussion of the budget, and not criticize Ministers.

Dr. Ganesh Prasad : I am the first man to remember the standing orders. I am not going to criticize the present Minister of Education. I am going to show the difficulties that have been brought before us and with which we are faced today, and that they are due to the first Minister.

The Deputy President : The honourable member can leave the difficulties aside and discuss the budget.

[Shortly after this the Hon'ble the President resumed the Chair.]

Dr. Ganesh Prasad :—I am perfectly willing to bow to your ruling, but I do so with a respectful protest. I find, Sir, now that I must go on and probably attack the Hon'ble the Finance Member and the Financial

Secretary. The budget is most disappointing. I must say I expected that the policy underlying the budget would be a policy somewhat different from the policy underlying the budgets of previous years. I find to my great disappointment that the budget is more or less of the same kind as the budgets of 1923, of 1922. and 1921. So far as mere form is concerned, I would be the last person to quarrel with the form. I must in fact express my appreciation of the way the figures have been marshalled, and there must be certain standards for the marshalling of figures. But the policy underlying the budget is disappointing. It shows that Government has not changed its heart at all. So far as expenditure alone is concerned, the money is there, for example, the sum earmarked for education is 1 crore and 72 lakhs; but as I shall show without probably being prevented by any breach of rules—I will show that the money allotted for education is not being rightly spent. If I may say so, without disobeying your ruling, for this the Hon'ble Finance Member, who after all although he is a great scholar—I remember one year he was examiner for the M.A. examination in philosophy—cannot claim to be an educationist of the first order, is not primarily responsible. You cannot expect the Hon'ble the Finance Member to go and quarrel with every Vice-Chancellor in these provinces or with every head of an educational institution in these provinces. I wanted to say at the very beginning that the first man responsible for the present muddle and the present bad administration in the Education department is that gentleman who produced in these provinces without any rhyme or reason, two universities and a Board of Intermediate and Secondary Education. Therefore I submit, Sir, that these figures ought not to be our guiding test.

I proceed now to take up the details in order to elucidate my position in connection with the Allahabad and Lucknow Universities. Some of you will be surprised to hear from me that a sum of Rs. 2,000 a year is spent on every student. I venture to say that very few students will be found who will earn in the whole course of their lives a sum of Rs. 2,000 a year. What is the exact situation of the Allahabad University today? Today is the teaching in that University better than the teaching that used to be given in the old days in the Muir Central College in the old Allahabad University? I make bold to say with the Hon'ble the Minister of Education before me, that the teaching is certainly not better. I will go further and say that in certain departments you have got the teaching distinctly and clearly below the old standard. There is not one man in the department of Mathematics who can hold a candle to Mr. C.x. We have no one in any department of the Faculty of Arts of the calibre of Dr. Thibaut or Mr. Gough. But what is the exact state of affairs? I speak with the greatest reluctance, because I claim to be proud of the profession to which I belong, namely, the professorial line. I claim to have acquaintance with a number of gentlemen whose names I must bring forward in order to maintain my position, and I say this with the greatest reluctance. I claim it to be my duty to speak here without any fear of anyone. Now, in the Allahabad University what do we find? There we have got a gentleman who teaches philosophy for the very small sum of Rs. 2,000 a month. He is a gentleman for whom I have the greatest admiration. He happened to come within the bad books of the first Minister of Education and the result was that instead of getting what

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was his due, namely, an administrative post in these provinces or outside, that is, some other province, he was asked to go to the Muir Central College and profess philosophy. I can profess English, German, or History. But it will be simply scandalous for any one to come forward and say that I shall be a better professor of History, English or German than of Mathematics. You spend therefore fully Rs. 24,000 in the Allahabad University for a gentleman who is dissatisfied with his present position. He does not wish that he should be there. He ought to have been the Director of Public Instruction today; if not the Director, he ought to have been the Deputy Director. You have got also another gentleman who is also a teacher in the department of Philosophy. He gets about Rs. 19,000 a year, and so on, with a number of other teachers of the University. Thus, you have got the situation of the Allahabad University put in a nutshell. There are six gentlemen, members of the Indian Educational Service, men who ought to be placed in some other province in administrative positions if they cannot be so placed in these provinces, and they spend among themselves a lakh or more a year. I venture to say with all my knowledge and experience of half a dozen universities with which I am still intimately associated, that you can give better teaching for less than one-third of this amount. For this the gentleman responsible is the first Minister of Education. If you wanted that the university should succeed, there was only one chance, and that chance was lost when Sir Claude de la Fosse tendered his resignation and the Chancellor was so ill-advised as to accept that resignation. There is absolutely no hope for the Allahabad University either as a unitary, residential, and teaching university or in its present form for any kind of success for the reasons which I have advanced. I would therefore say that the 172 lakhs which have been put forward should not misguide us. That does not mean that we are rightly spending as much on education as we ought to spend.

Now, coming to the Lucknow University, I should rather not be so outspoken.

Mr. H. David : Why ?

Dr. Ganesh Prasad : Because I know less of the Lucknow University than of the Allahabad University. I happen to have been associated with the Allahabad University since 1891, when I joined the Muir College as a student and possibly, if I may say so, there is nobody in this Council Chamber who knows as much of the Allahabad University as I do. While I represent about three thousand graduates of the Allahabad University scattered far and wide among the districts of these provinces, I do also represent a number of graduates resident in Lucknow city. But as I am not so well up in connection with the Lucknow University, I shall not be so outspoken. So far as the Lucknow University is concerned, the situation is more or less the same as in the Allahabad University, although I may not be able to give you the exact details. There are about 900 students, on each of whom about Rs. 2,000 is spent annually, and about 18 lakhs are spent in this way every year. In certain departments you have got only one or two post-graduate students. I make bold to say that there are departments in the Lucknow University where the number of students in the post-graduate course can be counted

on a single hand. You have got altogether only 20 students in the M.Sc. classes. In that Mother of Universities in Northern India, I mean the Calcutta University, you have got at Calcutta about three thousand students in the post-graduate departments in Arts, Science, and Law. I am not speaking of Medicine, because I may tell everyone here that I am most ignorant of that subject. The total sum spent on these students comes to 9 lakhs a year. If there is anyone here who has got any prejudice against the Calcutta University I should tell him that that prejudice is utterly unwarranted. Over there you have got in every branch of Science a number of fresh M.Sc.'s who can hold their own against their contemporaries in any country in the world. A man who passes, e. g. the M.Sc. in Mathematics in any Indian university and gets the first place in the first class is as good as any Wrangler of his year. The difficulty is that you have not got proper facilities for further studies in most Indian universities and that is the reason why a number of men have to go every year to England, Europe or America in order to continue their studies. This brings me to a very remarkable phenomenon. Somehow or other, some of the leaders, or the so-called leaders of the public, have got a special love or a special fascination for everyone who has got a foreign degree. I remember a certain old friend of mine who has a special love for a D.Sc. of London, and who would fall into fits if he meta a London D.Sc. If you told him that that D.Sc. probably knows as much about his subjects as a D.Sc. of the Calcutta University or any other university here, he would not hear of it. And that gentleman is one of the leaders or the so-called leaders. I do not belong to any particular party, but I am here just to speak out what I consider to be the truth. Therefore, it will be seen that every year thousands of men are compelled to leave the shores of India and go to Europe or America in order to spend right and left the money which their parents have stored with very great industry and thrift. I have calculated, Sir, that the figure of 1,500 which the Lytton committee have given as the number of those who are students from India resident in England is half the total strength of the Indian students studying in foreign countries. Assuming that each student spends, on an average, Rs. 3,000 per year, the colossal sum of 90 lakhs is being spent—or I should say misspent—every year in foreign countries on university education simply because you have not got adequate facilities here.

So far as intermediate education is concerned, I make bold to say before my honourable friend the Chairman of the Board of Intermediate Education, that the Board was introduced with this special object—that the certificate of the last examination of the Board should be a passport for admission into every Faculty of every Indian university. I refreshed my memory by looking into the recommendation of the Calcutta University, and I found that it was expressly laid down that a man who has passed that examination, should be admitted into any Faculty he chooses. The idea was, that the Intermediate Board should so shape its courses and have the standard so high that a man, after passing the Intermediate examination, should be able to get admission into the Faculties of Arts, Science, Medicine, Engineering, or any other Faculty. But what we find is this, and I must say with the highest respect for the persons concerned—that the things that are going on in the universities are not satisfactory. We have got, Sir, in connection with the

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Board of Intermediate Education, a regular attempt to lower the standard. So far as Mathematics are concerned, about which I know more, I find that there is a regular attempt made to lower the standard of Intermediate examination. And that simply means that we will have, after five years, a standard which will be no better than the standard of the old Intermediate examination.

There is another thing I wish to speak about. Looking into the budget I find that a sum of Rs. 1,37,000 has been budgeted for in connection with the examinations of the Board of Intermediate Examination. As I have just now said, I have not that intimate knowledge of the working of the Board, as I have of the working of the Allahabad University, but I make bold to say that the sum of Rs. 1,37,000 is simply monstrous. Looking into the figures for the Allahabad University you find that a sum of about Rs. 50,000 was all that used to be spent for conducting the Matriculation and Intermediate examinations by that University every year during the years 1920, 1921 and 1922.

The Hon'ble the President: The honourable member might reserve these remarks for the time when the detailed discussion of this budget provision comes up.

Dr. Ganesh Prasad: I bow to your ruling, Sir.

I make bold to say that a good deal of the expenditure which has been earmarked in the budget for higher education is not going to be spent rightly. So I came to make the remark that we ought not to be guided merely by the statement of the Hon'ble the Finance Member—made in all honesty, I may say without any impertinence—that more is being spent on education than even on police. I am not a man who is an enemy of the police. As a matter of fact, I belong to a place, i.e., Benares Cantonment, in which my bungalow is guarded on one side by the police and on the other side by soldiers. Therefore I would be the last man to make the police my enemies. But I make bold to say that the mere statement of the Hon'ble the Finance Member, that more is being spent on education than on police should not mislead us. We are mis-spending a good deal on education.

I come now to primary education, and I wish to say that on primary education we are spending much less than we ought to. In this connection I might throw out a suggestion to my friend the Hon'ble Minister of Education, that with the conditions of Burma in view it would be much better if the heads of various religious institutions, Hindu and Muhammadan, are asked to co-operate in order to make them helpers in the matter of the advancement of primary education. I hope I will not draw the ire of my Christian friend Mr. David when I say that it would be a very right thing if for the expansion of primary education, the heads of various Hindu institutions, the heads of various Muhammadan institutions, etc., are given certain subsidies so that they may make use of those funds for improving the education of the boys of their respective faiths. Sir, I shall just refer to two or three more items and shall finish in two or three minutes. I am a native of a district which is being depopulated on account of a number of epidemics—plague, cholera, influenza, fever, and other things. I find that during the last 23 years these provinces have lost 157 lakhs of their inhabitants. We have lost.

more than a crore of the inhabitants of the provinces on account of deaths from preventable causes. Ballia has also been a victim of these epidemics and it has lost about four lakhs by plague, fever, and other diseases. I therefore say that if we have no chance of living, what is the good of all these expenses? If almost one-fourth of the population of these provinces is doomed to die before the 25th year on account of preventable diseases, what is the good of spending large sums on education and other amenities? I, therefore, say that we have been neglecting sanitation without any fear of God and without any fear of the public.

The third item about which I wish to speak is in connection with the huge sums which are being spent on Improvement Trusts to make the lives of those more comfortable who are already leading comfortable lives—and all this is done in the name of public health. In Allahabad, which has certainly the luxury of an Improvement Trust, the population is dwindling. Lucknow also is dwindling in population. We have got the same tale practically everywhere. The improvement in the population of Cawnpore according to the census should not mislead anybody, because it has got a large immigrant population. In all these important cities, Sir, in spite of the Improvement Trusts, you find the health of the masses is horrible. We neglect the masses in order that we may drive comfortably in motor-cars. I can myself appreciate luxury, though I do not indulge in luxuries, and therefore I am not to be considered to be a man with Bolshevik tendencies or Socialist tendencies. I am only speaking here for the masses when I say we are neglecting them so that at their expense other people may live comfortably.

With these remarks and without making any kind of apology regarding what I said about the first Minister of Education, I resume my seat.

Kunwar Jagdish Prasad: We have heard the very interesting and vigorous speech of the representative of the Allahabad University. Earlier in the day we had a speech from the honourable member for Moradabad, who is also connected with the Allahabad University. I shall deal with these two speeches in chronological order. I wish first to deal with the speech of my friend the member for Moradabad. We know, Sir, that he expounds with great ability and lucidity how past history is made. It is fortunate that he is equally willing to teach us here in this House, how modern history should be made in many departments of national life. He started with the extraordinary proposition that we have created four universities in these provinces, that we have not calculated mathematically the number of Government posts that could be filled up by the graduates of these universities, and that the progress of university education in these provinces should be dependent on the number of offices that can be filled up by the graduates of these universities.

Dr. Shafa'at Ahmad Khan: On a point of order, Sir, I never meant anything of the kind.

Kunwar Jagdish Prasad: I think, Sir, I took down a note of what he said? "What is going to happen to the graduates of these universities?"

Dr. Shafa'at Ahmad Khan: That does not imply dependence upon Government service.

Kunwar Jagdish Prasad : What did he say about intermediate education ? He said :—“I have inspected these intermediate colleges. They are doing excellent work. We must now cry halt. There shall be no further progress”. He does not explain to us why these colleges which are doing such excellent work should not be allowed to make further progress.

As regards primary education, after a great deal of eloquence and after saying many things, he said that we had no scheme. When he came down to details the first thing that he said was that there should be compulsory education in municipalities. We have already got it.

Dr. Shafa'at Ahmad Khan : I knew that.

Kunwar Jagdish Prasad : If he knew that, what is the use of telling the House that we should have a scheme for the municipalities ? If he simply repeated that for the information of honourable members who are probably not well up in educational affairs, I can understand it. What was the second constructive scheme ? Compulsory education in rural areas. I should like very much to hear from those honourable members who are sitting opposite, as to what they have to say about compulsory primary education in areas under district boards. Where is the money to come from ? Has the honourable member from Moradabad actually calculated the extra cost which his proposal will entail ?

Dr. Shafa'at Ahmad Khan : I never meant the extension of compulsory primary education to district boards. I said that we should start first with municipalities and then go on to district boards.

Kunwar Jagdish Prasad : We have already started compulsory education within municipalities and we are advancing with it. If the House will give us funds and if there are no political or economic difficulties, we are quite willing to advance rapidly in primary education. Therefore to say that we have no constructive policy of primary education is perhaps not a historically accurate statement.

I now come to the speech of the honourable member, the member for the University. He said that Indians have a great fascination for those who have received a degree in England . . .

Dr. Ganesh Prasad : Sir, I rise to a point of order. What I said was that certain so-called leaders have got a special fascination for foreign degrees, and I indicated what particular gentleman I had in view by mentioning the case of a friend of mine.

Kunwar Jagdish Prasad : After listening to the speech of my honourable friend, the little fascination that I ever had for gentlemen who had foreign degrees has entirely disappeared.

So far as I am concerned, I should now be inclined to think that a gentleman who has got a distinguished degree in the universities of Germany or England is in no way better than a gentleman who has obtained an indigenous degree in these provinces. With that confession on my part I hope the honourable member will now allow me to proceed with his attack on all sections of our educational policy. I may say at once that I regret that he should have attacked an ex-Minister who is no longer a member of this House, because it is not possible for that gentleman to defend his policy, and I know that if he were here he would be quite capable of defending any attacks that may have come

from my honourable friend, the member for the University. May I say, Sir, that the Bill relating to university reforms had been drafted by Sir Claude de la Fosse before the Reformed Government came into existence? The policy that there shall be Intermediate colleges and that the Intermediate examination shall not be within the purview of the University was a policy which had been decided upon before Mr. Chintamani took office as a Minister. I shall be able to deal fully, when the demands for the universities are discussed, as to what was in the mind of the people who considered that these reforms were necessary. I think the whole position was explained by Sir Harcourt Butler, when leaving this province, in his farewell convocation address to the Allahabad University. The whole idea was that with these reforms coming in it was essential that we should train Indians to be leaders, that we should train them so that they might be fully at home not only among books but among men. It is, I think, an admitted fact that without a system of university education which can produce men of character, men imbued with ideas of disciplined existence, the Reforms would be an utter failure.

It was, I think, with this view that the Sadler Commission suggested the establishment of residential and teaching universities. So far as experience goes, these reforms have removed some of the deficiencies which existed in the affiliating universities.

The contact between the teacher and the pupil and the existence of literary, social, and other activities are difficult in a university which is merely an examining body. I was myself a student of the Muir Central College, and I too had the honour of being the pupil of Mr. Homersham Cox, like my honourable friend the member for the Allahabad University. When I visited the Allahabad University last December, I was struck by the various activities that were going on at that University and when I compared the activities in which the students now participate with what we had twenty years ago, I found that there was a distinct improvement in the general academic outlook, and this is a feature of the present educational reforms.

Coming to Intermediate education, if you are going to have real universities imparting instruction in the higher branches of scholarship, it is necessary that students who enter those universities should be capable of profiting from the instruction which is being given in those universities, and this was one of the reasons why it was decided that the dividing line between the university and the school should be the Intermediate. It is found that students, who have merely passed the matriculation examination, are generally unfit to receive instruction that is given in the universities, and this is, I think, the experience of most of us here who entered the universities in the earlier days.

I do not wish at this stage to say anything more on this subject, because we shall have a full opportunity of discussing the matter when the demand under this particular head is before the Council.

There is only one other thing which I wish to say. My learned friend has chosen to attack Professor Burrell.

Dr. Ganesh Prasad : I rise to a point of order.

It is a gross misrepresentation that I attacked Professor Burrell. I expressed my greatest admiration for him, in fact. What I said was

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that it was very unwise for the late Minister to appoint him to a post which he did not wish to hold.

Kunwar Jagdish Prasad : I thought, Sir, that it was undesirable to put a man who was a Professor of Mathematics.

Dr. Ganesh Prasad : He is not a Professor of Mathematics.

Kunwar Jagdish Prasad : I am only taking an illustration. I thought, Sir, that it was undesirable to ask a mathematician to teach philosophy, just as it is undesirable for a man who is an expert in Higher Mathematics to give an opinion on Improvement Trusts.

Dr. Ganesh Prasad : Specially if he happens to be a member of the Council.

Kunwar Jagdish Prasad : What I wished to submit was that Professor Burrell is a distinguished scholar of Philosophy, and consequently that the implication that he knew as much of Philosophy as I, for example, do of Mathematics, is entirely uncalled for.

Chaudhri Sheoraj Singh : Much has been said about the budget and I think sufficient light has been thrown on it. It has been very ably criticized by honourable friend Rai Bahadur Lala Sita Ram and others, and I think it requires no further criticism or speech. I however think it proper to speak a few words in the interests of those whom I have the honour to represent here.

First of all, I congratulate the Hon'ble the Finance Member on his presenting very lucid budget, but I am sorry to find that no adequate provision has been made in it for the nation-building departments. There is very little provided for for the improvement of the conditions of the rural areas, and has already been pointed out by my honourable friend Thakur Har Prasad Singh from whose pockets the largest part of the income is derived. Agriculture is the mainstay of the major part of the population of these provinces, but very little advance has up to now been made in our agricultural conditions. The improved methods which are suggested by the department are very costly and cannot be adopted by the village people. I am surprised to know that some of the improved agricultural implements are patent and no cultivator can get them manufactured in the village. These patent implements should be allowed to be made locally, such as the Meston plough and the like.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Thursday, 6th March, 1924.

THE Council met in the Council Chamber, Lucknow, at 11 a.m.
The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. W. S. Cassels.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad Ejaz Rasul Khan.
Raja Bahadur Brij Narayan Rai.
Mr. H. C. Desanges.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad Arora.
Babu Mohan Lal Saxena.
Rai Bahadur Lala Sita Ram.
Babu Bhagwati Sahai Bedar.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Lala Babu Lal.
Rai Bahadur Pandit Kharagjit Misra.
Raja Suryapal Singh.
Babu Nemi Saran.
Chaudhri Badan Singh.

Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Thakur Keshava Chandra Singh Chau-
dhri.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Babu Dip Narayan Roy.
Thakur Hanuman Singh.
Raja Indrajit Pratap Bahadur Sahi.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Dr. Jaikaran Nath Misra.
Rai Bahadur Thakur Mashal Singh.
Thakur Hukum Singh.
Kunwar Surendra Pratap Sahi.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Khan Bahadur Chaudhri Amir Hasan
Khan.
Dr. Zia-ud-din Ahmad.
Mr. Masud-uz-Zaman.
Nawabzada Muhammad Yusuf.
Maulvi Abdul Hakim.
Saïyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud din.
Mr. Ashiq Husain Mirza.
Lieut. Shaikh Shahid Husain.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Lala Mathura Prasad Mehrotra.
Lieut. Shaikh Imtiaz Rasul Khan.
Thakur Jagannath Bakhsh Singh.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

CONVICTION OF DR. ABDUL KARIM OF BENARES.

* 1. Pandit Yajna Narayan Upadhyaya : What was the section under which Dr. Abdul Karim of Benares was convicted at Ghazipur ?

* 2. What was the period for which he was sentenced and when did the period of his sentence expire?

* 3. Is it a fact that the period has expired, but that he has not been released?

* 4. What is the reason for his detention in jail after the expiry of his term?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Answers will be given at a later date.

CONVICTION OF PANDIT JAGDAMBA PRASAD.

* 5. **Pandit Yajna Narayan Upadhyaya :** Referring to starred question No. 29 asked by Babu Damodar Das Sahib on the 28th January, 1924, what was the section under which Pandit Jagdamba Prasad was convicted?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Pandit Jagdamba Prasad was convicted under section 124A, Indian Penal Code.

FOOT-TRAFFIC ON THE JUMNA BRIDGE AT KALPI.

* 6. **Pandit Jhanni Lal Pande :** Is the Government aware that the other half portion of the Jumna railway bridge at Kalpi was open to pedestrians ever since the bridge was constructed?

(a) Is it a fact that the railway authorities have now put up barriers and stopped all foot-traffic?

(b) Will the Government be pleased to state the reasons which led the railway authorities to close it?

(c) Will the bridge remain closed even in the rainy season when the pontoon bridge is broken?

The Hon'ble Mr. S. P. O'Donnell : Inquiry is being made and a reply will be given at a subsequent meeting.

RESTRICTIONS ON THE POSSESSION OF ARMS IN KITCHA AND KASHIPUR.

* 7. **Pandit Govind Ballabh Pant :** (1) Are any restrictions as regards the possession of swords, spears, etc., in force in the Kitcha and Kashipur tahsils of Naini Tal district?

(2) When were the said restrictions imposed?

(3) Did the Government give an assurance to the Council, on the 26th February, 1923, that all restrictions of this character then existing would be withdrawn from 15th March, 1923?

(4) Were the restrictions not withdrawn from the abovementioned areas in spite of the said undertaking? If so, why? When will the restrictions be withdrawn?

(5) Are similar restrictions in force in any other district in this province?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (1) No.

(2) In May, 1922.

(3) Yes.

(4) The restrictions were withdrawn with effect from the 15th March, 1923.

(5) No.

Pandit Govind Ballabh Pant : Will the Government be pleased to issue instructions to the local authorities asking them to restore swords, etc., that are still in the malkhana?

Mr. G. B. Lambert : I think there was a mysterious inquiry the other day from the Commissioner of Kumaun asking the date on which these restrictions had been removed, and we pointed out that the date was May, 1922. There may have been some mistake. If so, I suppose the Commissioner having received our letter will now take necessary action.

Pandit Govind Ballabh Pant : Will the Government be pleased to issue instructions?

Mr. G. B. Lambert : We will make inquiries certainly.

GRAZING RATES IN TARAI AND BHABAR FORESTS.

* 8. **Pandit Govind Ballabh Pant :** (1) At what rates are fees for grazing bullocks, cows and buffaloes charged in the special and reserved forests situated in Tarai and Bhabar tract of Naini Tal district?

(2) Have the rates been raised by 50 per cent. to Rs. 1-8 for a buffalo and annas 12 for a cow or bullock in Bhabar recently?

(3) What additional income is expected from the enhanced rates?

(4) What is the number of cattle grazing in the forests mentioned in part (1)? What were the corresponding figures in 1914 to 1919?

(5) Has the minimum area of the holding entitling an agriculturist to privileges in the matter of grazing been raised from 20 to 25 bighas?

(6) Are the owners of cattle stations or *khattas* in above areas being asked to execute agreements and to pay dues in addition to the grazing charges? When was this system of formal agreements introduced? Are similar agreements prescribed for graziers in all Government or reserved forests?

(7) Were the proposals published for criticism before the increased rates were put in force?

(8) Are there any rules to regulate the revision of grazing rates?

(9) Did the Government sanction the enhanced rates and other changes before these were put in force?

(10) Will the Government be pleased to revise the orders, if any, and to cancel the enhanced rates and other changes recently made?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Replies will be given at a later date.

GRAZING RATES IN EASTERN AND WESTERN CIRCLES OF FORESTS.

* 9. **Pandit Govind Ballabh Pant** : What are the grazing rates ordinarily in force in the Eastern and Western circles ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Replies will be given at a later date.

NOTIFIED AREA, RAMNAGAR.

* 10. **Pandit Govind Ballabh Pant** : (1) How many members of the Notified Area Committee, Ramnagar, are elected, how many nominated, and who is the President ?

(2) Was any public meeting held at Ramnagar in February, 1924 and was any resolution asking for the substitution of an elected non-official committee in place of the present body passed at such meeting ?

(3) What is the total number of Notified Area Committees in this province and how many of these are constituted on an elected basis and how many consist of nominated members with an official Chairman ?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

BAGESHWAR FAIR, ALMORA.

* 11. **Pandit Govind Ballabh Pant** : (1) Was any order under section 144, Criminal Procedure Code, promulgated at Bageshwar in Almora district on the occasion of the *Uttarayani* fair in January last ?

(2) Who issued the said order, what was the area affected thereby, what was its duration, and under whose signature was it published ?

(3) Was any armed police force posted at Bageshwar on that occasion under the direction of Mr. Young, the officer in charge of special dacoity work ? What was the strength of the armed police force ? What amount was incurred on account of travelling expenses of the force ?

(4) Were any speeches delivered at Bageshwar on that occasion ? If so, by whom ? Were full verbatim reports of the speeches taken at the time by any stenographer ? Will the Government be pleased to lay copies thereof on the table ?

(5) How many persons were arrested at the spot ? How many persons were prosecuted for taking part in the meeting ? How many of them have been convicted and what was the sentence passed against each ? Who tried these cases ? Have the records of these cases been examined by the legal advisers of the Government ?

(6) Are the persons convicted being treated as ordinary, or as special or political prisoners ?

(7) How many persons were arrested at Bageshwar in January, 1922 and 1923, respectively, and how many were convicted for political or quasi-political charges ?

(8) Were orders under section 144, Criminal Procedure Code, prohibiting or restricting political meetings, speeches or processions promulgated at Bageshwar in January, 1922 and January, 1923 ?

(9) How many persons have been convicted in Almora district for offences—political or the like—during the last three years ?

(10) Was any hurt or injury caused to any public servant by the public or any member thereof at Bageshwar this year or in any of the previous years 1921 to 1923 ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Inquiries have been made and replies will be given at a later date.

SESSIONS WORK BY POLICE OFFICERS.

* 12. **Hafiz Hidayat Husain :** Is it the intention of the Government to take away sessions work from the Government pleaders and to appoint deputy superintendents of police or police inspectors to do that work in the Sessions Court ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No.

FREE AND COMPULSORY EDUCATION IN THE UNITED PROVINCES.

* 13. **Hafiz Hidayat Husain :** Does the Government propose to extend free and compulsory education to all the municipal and town areas of the province ? Will the Government consider the advisability of extending it to select rural areas as well ?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the answer given to starred question No. 75 for the Council meeting of the 27th February, 1924.

PENSION OF BIR SINGH OF TOTA SILONG, DISTRICT ALMORA.

* 14. **Pandit Hargovind Pant :** (1) Is the Government aware that one Bir Singh *alias* Badri Datt Baishnav, pensioner No. 34369 of Tota Silong, district Almora, has not received his pension for about the last two years or more ?

(2) How long has his correspondence with the Accountant-General of the United Provinces been going on, and why is the decision being delayed ?

(3) Does a pensioner forfeit his pension by reason of refusal to furnish security under section 107 of the Criminal Procedure Code for conscientious reasons ?

The Hon'ble Mr. S. P. O'Donnell : (1) Yes.

(2) Since December, 1922. The delay in reaching a decision was due to the fact that inquiries had to be made from the local authorities.

(3) No. But a person who is bound over under the section mentioned is liable to forfeiture of his pension, whether he finds the security demanded or goes to jail in default of doing so.

Pandit Hargovind Pant : Has any decision been arrived at in the present case ?

The Hon'ble Mr. S. P. O'Donnell : Yes. The pension has not been forfeited.

PERSONS KILLED BY TIGERS AND ARMS LICENCES.

* 15. **Pandit Hargovind Pant :** How many persons have been killed by tigers or leopards in district Almora during the last three years ? Are any of these beasts still at large victimizing the people ?

What steps has Government taken for their extirpation ?

How many new licences for the possession of guns has the District Magistrate, Almora, granted since 1921 ?

Has the District Magistrate, Almora, recently refused to grant a gun licence to Pandit Hari Dab Mathpal of village Nanla Walla Naya, although the applicant is a member of the district board?

Has he cancelled the licence of another member of the district board, namely, Lala Ram Lal Sah, *rais* and general merchant of Bageshwar?

On what grounds was the licence to the former refused and that of the latter cancelled?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Inquiry has been made and a reply will be given at a later date.

BAGESHWAR FAIR, ALMORA.

*** 16. Pandit Hargovind Pant:** Is the Government aware that the District Magistrate, Almora, has been prohibiting public meetings and processions at the Bageshwar fair (in district Almora) since 1922?

Did he issue orders to the same effect this year under section 144 of the Criminal Procedure Code?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The honourable member is referred to the answer to starred question No. 50 of the 27th February, 1924.

*** 17. Pandit Hargovind Pant:** How many armed police were requisitioned to the Bageshwar fair by the District Magistrate, Almora, this year?

How many civil and revenue police were there at the fair besides the armed police?

Was Mr. Young, the Superintendent of Police, who was on special duty for the rounding up of Bhantu dacoits, also present at Bageshwar at the head of the armed police?

What cost was incurred in the transport on motor lorries and cars of the aforesaid police?

What amount has been spent on the travelling allowances of the aforesaid police force?

Was armed police used in the arrest of Mr. Mohan Joshi, B.A., member, All-India Congress Committee, while he was lecturing on the constructive programme of non-violent non-co-operation?

Was he rounded up with a long rope before arrest?

Were the crowd threatened with fixed bayonets?

Have not the people accused of violating orders under section 144 in previous years at Bageshwar presented themselves for trial at Almora even on oral orders?

Is the Government aware that Mr. Mohan Joshi was tried and convicted by the same District Magistrate to three years' rigorous imprisonment, whose order under section 144 he was alleged to have violated?

*** 18. Pandit Hargovind Pant:** Is the Government aware that the District Magistrate, Almora, convicted along with Mr. Mohan Joshi six others for the simple reason that they were with Mr. Joshi at the time of the lecture, sentencing them to various terms ranging between 2½ years to one year's rigorous imprisonment?

Does the Government know that among these convicts are two boys of about 16 years of age who even after their conviction on the 23th of January, 1924 have still been detained in the magisterial lock-up where they are being forced to live on annas three per day ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Inquiries have been made and replies will be given at a later date.

RELEASE OF PRISONERS.

* 19. **Rai Bahadur Babu Vikramajit Singh :** Is it a fact that every year some prisoners used to be released before the expiry of their terms of sentences either on account of the short terms or the imprisonment being simple ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No.

* 20. **Rai Bahadur Babu Vikramajit Singh :** Is it a fact that no prisoners were released this year from jails before the expiry of their terms of sentences ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No prisoners have been released this year before the expiry of their terms of sentences for the reasons suggested.

* 21. **Rai Bahadur Babu Vikramajit Singh :** What is the present number of prisoners in jails in the United Provinces ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : 27,427 convicts, 2,843 undertrials and 151 civil prisoners were in confinement on the 1st February, 1924.

* 22. **Rai Bahadur Babu Vikramajit Singh :** What is the number of prisoners undergoing less than six months' imprisonment ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Approximately 4,200.

* 23. **Rai Bahadur Babu Vikramajit Singh :** What is the number of prisoners undergoing simple imprisonment ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The daily average number of prisoners undergoing simple imprisonment during 1923 was 250.

* 24. **Rai Bahadur Babu Vikramajit Singh :** Has the Government any intention of releasing the short-term prisoners and those undergoing simple imprisonment ; if so, when ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : They will be released as soon as they have completed their sentences.

Rai Bahadur Babu Vikramajit Singh : Has the attention of the Government been drawn to the recommendations of the Economy Committee about short-term prisoners ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes.

Rai Bahadur Babu Vikramajit Singh : Does the Government intend to release these short-term prisoners and those undergoing simple imprisonment on taking bonds for good conduct ?

The Hon'ble the President : The answer to question No. 24 is already on the paper.

Rai Bahadur Babu Vikramajit Singh : By putting a further question I wanted to know whether the Government has any intention of releasing these short-term prisoners by taking bonds for good conduct ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The whole matter is still under consideration.

EXECUTIVE ENGINEER, PUBLIC WORKS DEPARTMENT, LUCKNOW
DIVISION.

*25. **Babu Ram Chandra Sinha :** Will the Government be pleased to state what private works the Executive Engineer, Public Works department, Lucknow division, is carrying out in this city and in the mufassil ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The additions and alterations to the Imperial Bank buildings at Lucknow.

* 26. **Babu Ram Chandra Sinha :** Is the carrying out of such works a violation of the expressed policy of the Government to encourage private enterprise ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No, if it is with the permission of the Government.

* 27. **Babu Ram Chandra Sinha :** What fees are being charged by the Executive Engineer for these works ? What portion, if any, of these fees is taken by the Government ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Two and half per cent. on the capital cost of the work.

(b) Three-fifths of the fee.

MUTATION OF NAMES BASED ON ORAL GIFT.

* 28. **Hafiz Hidayat Husain :** Has the Government seen circular letter No. 1145/19—2, dated the 24th March, 1906, from the Commissioner, Allahabad division, to all the Collectors of the division, prohibiting mutation on the basis of gifts by word of mouth ? Will the Government abrogate the directions contained in the letter ?

The Hon'ble Mr. S. P. O'Donnell : Yes. Government are advised that the circular in question does not correctly state the law so far as Muhammadans are concerned and steps will be taken to make the necessary correction.

SHORT-TERM PRISONERS.

* 29. **Rai Bahadur Babu Vikramajit Singh :** Will the Government be pleased to state the amount of money spent in the year 1923 on the prisoners undergoing short-term imprisonment, i.e., below six months ?

* 30. Will the Government be pleased to state the amount of money spent in the year 1923 on the prisoners undergoing simple imprisonment ?

* 31. Has any effect been given to the recommendations of the Economy Committee to reduce the number of short-term prisoners ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Answers will be given later.

UNSTARRED QUESTIONS.

L. T.'S FROM THE TRAINING COLLEGE, ALLAHABAD.

1. **Pandit Yajna Narayan Upadhyaya**: Will the Government be pleased to state how many persons passed the L.T. examination from the Training College, Allahabad, in 1923?

Kunwar Jagdish Prasad: Sixty-four.

2. **Pandit Yajna Narayan Upadhyaya**: Will the Government be pleased to state how many L. T.'s obtained Government service and how many obtained employment in private institutions?

Kunwar Jagdish Prasad: (a) Seventeen (including those who were in Government service when they joined the college).

(b) Thirty-seven are known to have obtained employment in aided schools. No information is available regarding the remaining 10.

3. **Pandit Yajna Narayan Upadhyaya**: Will the Government be pleased to state what is the budget of the Training College, Allahabad, for the year 1923-24?

Kunwar Jagdish Prasad: Rupees 1,00,380.

4. **Pandit Yajna Narayan Upadhyaya**: Will the Government be pleased to state what is the average annual expenditure per student in the said Training College, Allahabad?

Kunwar Jagdish Prasad: Rupees 1,055-13.

SANSKRIT PATHSHALAS.

5. **Pandit Yajna Narayan Upadhyaya**: Will the Government be pleased to state how many Sanskrit Pathshalas have been inspected in 1923-24?

6. What noteworthy improvement, if any, has been introduced in the Sanskrit Pathshalas during the last three years?

Kunwar Jagdish Prasad: Replies will be given at a later date.

7. **Pandit Yajna Narayan Upadhyaya**: How much money by way of grant-in-aid was given to the Sanskrit Pathshalas in 1923-24?

Kunwar Jagdish Prasad: Rupees 18,522.

INSPECTOR OF SCHOOLS, GORAKHPUR DIVISION.

8. **Pandit Yajna Narayan Upadhyaya**: Will the Government be pleased to state how many secondary schools have been inspected by the Inspector of Schools of Gorakhpur division in 1923-24?

Kunwar Jagdish Prasad: A reply will be given at a later date.

NEW POSTS IN DIRECTOR OF PUBLIC INSTRUCTION'S OFFICE.

9. **Pandit Yajna Narayan Upadhyaya**: Will the Government be pleased to state how many new posts have been created in the office of the Director of Public Instruction, United Provinces, from the year 1921?

Kunwar Jagdish Prasad: One Personal Assistant in place of Head Assistant.

One Senior Auditor.

Two Junior Auditors.

One typist for Audit section.

Two peons for auditors.

One tindal.

PROFESSOR OF NYAYA, SANSKRIT COLLEGE, BENARES.

10. **Pandit Yajna Narayan Upadhyaya** : Is it a fact that a Professor of Nyaya has been appointed recently in the Government Sanskrit College, Benares, without consulting the Principal of that college?

Kunwar Jagdish Prasad : All the applications which were received for the post of Assistant Professor of Nyaya in response to an advertisement were forwarded to the Principal of the Sanskrit College and he was asked to recommend the three best candidates. Pandit Sheodat Misra, who was ultimately appointed as Assistant Professor of Nyaya, was among those whose names were forwarded by the Principal.

11. **Pandit Yajna Narayan Upadhyaya** : Is it a fact that this is the first instance when the Principal was not consulted in the matter of appointment of a professor?

Kunwar Jagdish Prasad : Does not arise.

12. **Pandit Yajna Narayan Upadhyaya** : Is it a fact that the newly appointed Professor of Nyaya did not send his application through the Principal?

Kunwar Jagdish Prasad : Pandit Sheodat Misra was not on the staff of the college and therefore it was not necessary for him to send his application through the Principal of the college.

PROSPECTS OF ACHARYA SCHOLARS.

13. **Pandit Yajna Narayan Upadhyaya** : What prospect in the Educational department is open to those Sanskrit scholars who after passing the Acharya examination of the Government Sanskrit College, Benares, undergo a course of training for three years for Post-Acharya examination?

Kunwar Jagdish Prasad : As pandits in Government High Schools.

14. **Pandit Yajna Narayan Upadhyaya** : Is it a fact that the Ripon Gold Medal was awarded to the Acharya students of the Government Sanskrit College, Benares, who used to obtain the highest number of marks in the Final Acharya examination?

Kunwar Jagdish Prasad : The honourable member presumably refers to the Ripon Gold Bracelet. If so, the answer is in the affirmative.

15. **Pandit Yajna Narayan Upadhyaya** : Is it a fact that that practice was violated for the last three years?

Kunwar Jagdish Prasad : During the past three years the practice has been to award the bracelet to the candidate who obtained the highest number of marks in the subject (taken in rotation) in which they passed the Acharya examination.

GOVERNMENT SANSKRIT COLLEGE, BENARES.

16. **Pandit Yajna Narayan Upadhyaya** : Will the Government be pleased to state what led the Director of Public Instruction, United Provinces, to advertise for the post of Principal of the Government Sanskrit College, Benares?

Kunwar Jagdish Prasad : To secure the services of the best man available.

17. Pandit Yajna Narayan Upadhya : Is this the first instance of advertisement in the history of the Sanskrit College?

Kunwar Jagdish Prasad : No.

18. Pandit Yajna Narayan Upadhya : Is it a fact that a post of Vaidya is under consideration in the Government Sanskrit College, Benares?

Kunwar Jagdish Prasad : The answer is in the negative.

DISTRICT JUDGE, BENARES.

19. Pandit Yajna Narayan Upadhya : Will the Government be pleased to state how many years' civil experience had the present District Judge of Benares before taking over charge of the district judgeship of Benares?

Mr. G. B. Lambert : The present District Judge of Benares was Sessions and Subordinate Judge at Muttra from 5th February, 1921 to 14th April, 1921, and again from 13th December, 1922 to 12th February, 1923. He has held the office of the District Judge at Benares since the 19th February, 1923. It may be added that during his leave in England in 1922 he secured the degree of Bachelor of Civil Laws at the University of Oxford and completed the first part of the course required to qualify as a Barrister-at-Law.

MAGISTERIAL POWERS TO TAHSILDARS OF MAHARAJA OF BENARES.

20. Pandit Yajna Narayan Upadhya : Will the Government be pleased to state whether all the three tahsildars of His Highness the Maharaja of Benares in Benares tahsil (district Benares) are invested with magisterial powers?

Mr. J. R. W. Bennett : The three tahsildars are invested with magisterial powers.

KASHI CO-OPERATIVE BANK, BENARES.

21. Pandit Yajna Narayan Upadhya : Will the Government be pleased to state what is the condition of the Kashi Co-operative Bank, Benares?

Kunwar Jagdish Prasad : The condition of the bank gave-rise for some anxiety some time back, but its position has now improved.

22. Pandit Yajna Narayan Upadhya : Will the Government be pleased to state for how many years the dividends have not been paid to the shareholders of that bank?

Kunwar Jagdish Prasad : Since 1918-19.

MANAGERS OF CO-OPERATIVE BANKS.

23. Pandit Yajna Narayan Upadhya : Will the Government be pleased to state what are the prospects of the Managers of the Co-operative Bank, United Provinces?

Kunwar Jagdish Prasad : Managers of central banks of proved merit are considered for appointment as junior assistant registrars when vacancies occur in that cadre.

24. **Pandit Yajna Narayan Upadhyia** : Can they be transferred to other departments, e.g., Court of Wards, Agriculture and Industries?

Kunwar Jagdish Prasad : No ; they are not Government servants.

REGISTRAR AND ASSISTANT REGISTRAR, CO-OPERATIVE SOCIETIES.

25. **Pandit Yajna Narayan Upadhyia** : Considering the note by the Registrar, Co-operative Societies, United Provinces, published in the *United Provinces Gazette*, February 9, 1924, page 180, paragraph (1), will the Government be pleased to state for how many years the present Registrar is holding the office?

Kunwar Jagdish Prasad : Since June, 1918.

26. **Pandit Yajna Narayan Upadhyia** : Is the Government in a position to say in what way it proposes to utilize the experience gained in Europe by the present Assistant Registrar, Co-operative Societies?

Kunwar Jagdish Prasad : The experience gained in Europe by the Assistant Registrar in question will be utilized in the best possible manner for the furtherance of the co-operative movement in these provinces.

27. **Pandit Yajna Narayan Upadhyia** : Is it a fact that the services of a highly paid deputy collector were secured in a temporary vacancy of an Assistant Registrar and no chance was given to an experienced junior Assistant Registrar of the department?

Kunwar Jagdish Prasad : A deputy collector on Rs. 390 per mensem was appointed to the vacancy because it was considered at the time that this would be the most satisfactory arrangement.

CONVICTION OF PANDIT JAGDAMBA PRASAD.

28. **Pandit Yajna Narayan Upadhyia** : What was the period for which Pandit Jagdamba Prasad was convicted?

Mr. J. R. W. Bennett : For two years' rigorous imprisonment and a further six months' rigorous imprisonment in default of a payment of Rs. 200 fine.

29. **Pandit Yajna Narayan Upadhyia** : What was the weight of the said pandit at the time when he entered the jail?

Mr. J. R. W. Bennett : 111 lbs.

30. **Pandit Yajna Narayan Upadhyia** : What is his weight now?

Mr. J. R. W. Bennett : 112 lbs.

31. **Pandit Yajna Narayan Upadhyia** : Is it a fact that during the days of his illness he was employed in working a mill for extracting mustard oil?

Mr. J. R. W. Bennett : No, he was thoroughly examined by the Superintendent of the Jail and found physically and organically fit before being sent to the mills.

LIQUOR SHOP, RANIKHET.

32. **Pandit Hargovind Pant** : Is the Government aware that the residents of Ranikhet and also the local Temperance Society recently petitioned the Deputy Commissioner, Almora, for the removal of the country liquor shop at Ranikhet from its present site on the ground of inconvenience and danger to public morals?

Mr. E. A. H. Blunt : A reply will be given at a later date.

RECEIVERS OF INSOLVENTS' PROPERTIES.

33. **Hafiz Hidayat Husain**: Is the Government aware that the public is very much dissatisfied with the manner in which receivers of insolvents' properties maintain their accounts of the estates? Is the Government also aware that the receivers decline to exhibit the accounts to the creditors?

Will the Government consider the necessity of taking steps for framing such rules as will ensure periodical meetings of creditors, exhibition of accounts and audit of accounts by public auditors?

Mr. J. R. W. Bennett: A reply will be given later.

MAGISTERIAL POWERS TO NAIB-TAHSILDARS.

34. **Lieut. Nawab Jamshed Ali Khan**: (a) Is it a fact that some Punjab procedures like mutation of names, etc., are being laid down in the Revenue department of this province?

(b) If so, will the Government be pleased to say whether they will confer magisterial powers upon naib-tahsildars of this province like those of the Punjab?

Mr. C. E. D. Peters: (a) It is presumed the honourable member refers to proposals recently made by the Deputy Director for the simplification of land records. These proposals are under consideration.

(b) It is not proposed to confer magisterial powers on naib-tahsildars.

CONTROL OF HOUSE RENTS.

35. **Hafiz Hidayat Husain**: Considering the great scarcity of houses in Cawnpore and other big cities of the province and the rack-renting tendencies of the house-owners, will the Government consider the advisability of enacting a Rent Act for these provinces on the lines of the Calcutta Rent Act?

Mr. G. B. F. Muir: The suggestion to legislate for the control of rents was considered by Government, but was rejected as likely in the end to aggravate the evil by discouraging the building of new houses.

GOVERNMENT EXPENSES FOR COUNCIL ELECTIONS OF 1923.

36. **Hafiz Hidayat Husain**: What is the total amount spent by the Government in meeting the expenses connected with the Legislative Council elections for the year 1923?

What is the total spent by the candidates over their election according to the returns submitted by them?

Mr. J. R. W. Bennett: A reply will be given later.

CHIEF INSPECTRESS OF GIRLS' SCHOOLS.

37. **Hafiz Hidayat Husain**: Will the Government lay on the table a list of the schools visited by the Chief Inspectress of Girls' Schools during the last five years? What is the amount of travelling allowances actually paid to her during this period?

Kunwar Jagdish Prasad: Two statements are laid on the table of honourable member.

KALYANPUR AGRICULTURAL FARM.

38. **Hafiz Hidayat Husain**: Is the Kalyanpur agricultural farm an experimental farm? Is it working at a loss? If so, why? Who is

in charge of that farm? What are his qualifications? Will the Government put an experienced divisional superintendent in charge of that farm?

Kunwar Jagdish Prasad : The Kalyanpur agricultural farm is a seed farm. It is working at a loss because its proximity to a large manufacturing town entails heavy working expenses and because it carries out special operations for the production and distribution of improved staple cotton seed. The superintendent in charge of the farm is Subedar Hari Ram Singh, who was appointed to the fieldman's service in 1912, and promoted to the Subordinate Agricultural Service in 1920. The farm is under the general control of the Deputy Director of Agriculture, Central circle. Government will consider the suggestion to place an officer of the United Provinces Agricultural Service in direct charge of the farm.

AGRICULTURAL DEPARTMENT.

39. **Hafiz Hidayat Husain :** What are the duties of the divisional superintendents in the Agricultural department? Where are these duties defined?

Kunwar Jagdish Prasad : Divisional Superintendents of Agriculture have charge of some particular branch of work, such as seed distribution, demonstration work, or farm management, as the Deputy Director under whose control they work assigns. The Deputy Directors define their duties.

40. **Hafiz Hidayat Husain :** Is an accountant attached to every circle in the Agricultural department? What are their emoluments? Will the Government consider the advisability of having only one accounts officer attached to the office of the Director of Agriculture and make him responsible for the accounts of all the circles?

Kunwar Jagdish Prasad : Yes. The scale of pay of these accountants is Rs. 75—6/2—105 per mensem. Government have already appointed one accounts officer for the Central circle and propose to appoint another for the remaining circles, but the appointment of such officers will not make it possible to dispense with the services of accountants.

BORING OPERATIONS IN THE UNITED PROVINCES.

41. **Hafiz Hidayat Husain :** What action has the Government so far taken for supplying borers and boring apparatus to each district of the province?

Kunwar Jagdish Prasad : Borers and boring apparatus are working in 29 districts, and the work is being extended as quickly as funds permit.

AGRICULTURAL ENGINEERING CIRCLE AT GORAKHPUR.

42. **Hafiz Hidayat Husain :** Does the Government contemplate creating a new Agricultural Engineering circle in the north-eastern part of the province with headquarters at Gorakhpur, and, if so, from which date?

Kunwar Jagdish Prasad : Not at present.

MAURAWAN-LUCKNOW ROAD.

43. **Raja Shankar Sahai :** (a) Is the Government aware that a portion of the road leading from Maurawan to Lucknow and lying within

the jurisdiction of Lucknow district was swept away near Jabrella by the side of the Sai river during the last flood and has not yet been metalled though recently it has been filled up?

(b) Will the Government be pleased to direct the department concerned to get it metalled as early as possible?

Mr. G. B. F. Muir : Government have no information. The road is a local one and is under the control of the district board, not of Government.

PARTITION INSPECTORS.

44. Maulvi Abdul Hakim : (1) Will the Government be pleased to give a comparative statement containing the number of permanent amins and of partition cases pending at present in each division of the United Provinces and also state in what divisions partition inspectors are at present working?

(2) Is it a fact that for the last ten years no partition inspector has been deputed to the Bareilly division?

(3) Will the Government be pleased to state the rule with regard to the deputation of partition inspectors to various divisions?

(4) In view of the enormous partition work in the Gorakhpur division, will the Government be pleased to appoint a partition inspector permanently for that division?

Mr. J. R. W. Bennett : (1) A statement showing the number of cases pending on the 30th September last is laid on the table. Statistics showing the number pending at present are not available. The statement also shows the number of permanent amins sanctioned for each division in 1923-24.

(2) Yes.

(3) There is no rule. Partition inspectors are posted to divisions as far as possible in accordance with the recommendations of Commissioners.

(4) No. Government is informed that a partition inspector is not at present required in the Gorakhpur division.

Statement showing the number of partition cases pending in each division on 30th September, 1923, and the number of partition amins sanctioned for 1923-24.

Division.	Number of partition cases pending on 30th September, 1923.			Number of permanent amins sanctioned for 1923-24.
	Perfect.	Imperfect.	Total.	
Meerut	260	1,047	1,307	47
Agra	81	126	207	25
Rohilkhand	130	671	801	60
Allahabad	78	365	443	34
Jhansi	97	100	197	24
Benares	313	210	523	21
Gorakhpur	75	651	726	77
Kumaun	2	134	136	..
Lucknow	105	234	339	38
Fyzabad	82	254	336	37
Total ..	1,223	3,792	5,015	363

ASSISTANT COMMISSIONER, INCOME-TAX, MEERUT.

45. **Maulvi Abdul Hakim** (1) Will the Government be pleased to state if it is a fact that the Assistant Commissioner, Income-tax, Meerut, attends his office for the purpose of hearing appeals after 4 p.m.?

(2) Is it a fact that the parties are required to attend at 10 a.m. and that they have to wait for six or seven hours before their cases are taken up?

(3) If so, will the Government be pleased to issue necessary orders to the Assistant Commissioner to stop this practice and to attend office punctually?

Mr. E. A. H. Blunt: Income-tax is a central subject and any question concerning it should be put in the Legislative Assembly. The honourable member however is invited to inform the Income-tax Commissioner direct of the place and date of the procedure of which he complains took place.

TRANSFER OF SUBORDINATE JUDGE'S COURT, FROM MUZAFFARNAGAR TO MEERUT.

46. **Rai Jagdish Prasad Sahib**: (a) Will the Government be pleased to state if there is a proposal to shift the Subordinate Judge's court at Muzaffarnagar back to Meerut?

(b) Has the Government received any memorials from the inhabitants of Muzaffarnagar protesting against the proposal of transfer?

(c) Will the Government be pleased to give its full consideration to the question and also consult local public opinion before finally taking any action in the matter?

Mr. J. R. W. Bennett: (a) Government is not aware of the existence of such a proposal.

(b) Government has received one such memorial.

(c) Government will give its full consideration to the question, if and when the question arises.

ABOLITION OF TAHSIL BUDHANA, MUZAFFARNAGAR.

47. **Rai Jagdish Prasad Sahib**: In view of the fact that the United Provinces Economy Committee has in its report published in the *United Provinces Gazette* of the 9th February, 1924, recommended for examination the case of abolition of the Budhana tahsil in the Muzaffarnagar district, will the Government be pleased to invite the opinion of the people concerned at the time of considering the proposal and before any decision is reached?

Mr. C. E. D. Peters: Any representation made to the local authorities or Government by the people of the neighbourhood would of course be considered.

MORADABAD-BIJNOR ROAD.

48. **Dr. Shafa'at Ahmad Khan**: Has the attention of the Government been directed to the state of the Moradabad-Bijnor road? Will the Government be pleased to get it repaired quickly?

Mr. G. B. F. Muir: No. The road is a local road and is the concern of the district board, not of Government.

BHANTUS.

49. **Dr. Shafa'at Ahmad Khan :** How many Bhandus were captured by Mr. Young ?

Mr. G. B. Lambert : About 60, including those who were killed.

50. **Dr. Shafa'at Ahmad Khan :** Could the Government give a rough estimate of the loss sustained by the Rohilkhand division, in men and money by the depredations of the Bhandu gangs ?

Mr. G. B. Lambert : Full information is not available. In 1922 complainants reported losses amounting to 2 lakhs of rupees.

51. **Dr. Shafa'at Ahmad Khan :** Does the Government intend to give any compensation to the victims of their cruelty ?

Mr. G. B. Lambert : No proposals of this nature are before Government.

52. **Dr. Shafa'at Ahmad Khan :** Has the attention of the Government been drawn to the Report on the Administration of Police of the United Provinces, 1922, page 19 ? Do the Government agree with the view of the Inspector-General of Police that "no permanent cure will be effected till all members of the Bhandu tribe in the Najibabad, Moradabad and Bareilly settlements, are removed to an escape-proof settlement, in a more suitable locality at a distance from the submontane area ?"

Mr. G. B. Lambert : The Government has seen the remark, and is in general agreement with it.

53. **Dr. Shafa'at Ahmad Khan :** If so, what action has been taken on this matter ?

Mr. G. B. Lambert : The honorable member is invited to refer to the answer given to starred question No. 78 of the 27th February, 1924.

54. **Dr. Shafa'at Ahmad Khan :** Is it not a fact that it is impossible for travellers to pass through the Bhandu settlement at Nawada, near Kanth station, without serious risk ?

Mr. G. B. Lambert : The Government is not aware that this is a fact.

**DEPUTATION OF CRIMINAL INVESTIGATION DEPARTMENT OFFICERS
TO SCOTLAND YARD, LONDON.**

55. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if it intends to send some members of the Criminal Investigation department to Scotland Yard, London, to complete their training there ?

Mr. G. B. Lambert : The answer is in the negative.

COMPETITIVE EXAMINATION FOR CLERKS.

56. **Dr. Shafa'at Ahmad Khan :** Has the attention of the Government been drawn to the necessity of instituting a competitive examination for candidates for the post of clerks in the various Government offices ?

Mr. G. B. Lambert : No. Examinations for candidates who seek appointments in all the offices in the province are impracticable. Certificates obtained at the qualifying examination held by the Government of India Staff Selection Board will be required for future appointments in the Secretariat.

WAQF PROPERTIES.

57. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to ask the District Officers to furnish a list of all the *waqf* properties in their districts ?

58. Will the Government kindly publish the returns of such *waqfs* ?

Mr. J. R. W. Bennett : A reply will be given at a later date.

ECONOMY COMMITTEE.

59. **Dr. Shafa'at Ahmad Khan :** How far have the recommendations of the Economy Committee been carried into effect by the Government departments ?

Mr. E. A. H. Blunt : The honourable member is referred to resolution No. B-789/X-134, dated the 23rd February, 1924, which was published in the Gazette of that date.

MOTOR LORRIES AND ROADS.

60. **Lient. Nawab Jamshed Ali Khan :** (a) Is the Government aware that metalled roads in their present condition are unsuitable for 2 and 2½-ton motor lorries which by damaging the roads have made them dangerous for cars and carriages ?

(b) Will the Government be pleased to stop the service of heavy lorries or make roads suitable for their use ?

Mr. A. C. Verrières : (a) Yes.

(b) Under rule 32 of the revised rules framed under the Indian Motor Vehicles Act, 1914, the weight of a lorry fully laden has recently been reduced from 16 tons to 8½ tons.

INSPECTION OF MOTOR LORRIES.

61. **Lient. Nawab Jamshed Ali Khan :** (a) Is the Government aware that some lorries are equipped with very old and unserviceable engines which fail on the way, causing much inconvenience to passengers and exposing them to danger in uninhabited places at night ?

(b) Will the Government be pleased to arrange for a quarterly or half-yearly inspection of these cars ?

Mr. A. C. Verrières : (a) The Government have no information on the subject.

(b) Rule 2(2) of the rules referred to above provides that the registering authority shall satisfy himself at the time of annual registration, that the motor vehicle and all its fittings are in such a condition as not to cause, or be likely to cause, danger to any person, and under rule 5, if at any time, after a motor vehicle has been registered, the registering authority considers that it has not been maintained in such a condition as to prevent danger to the public, or if the vehicle is a heavy motor vehicle, that it has ceased to comply with any of the special rules for such vehicles, such registering authority may, after notice to the registered owner, direct that the registration be suspended until such time as the defects are remedied to his satisfaction. The Local Government do not think it necessary to provide for the inspections suggested by the honourable member.

INSPECTION OF COUNTRY DRUGGISTS.

62. **Lieut. Nawab Jamshed Ali Khan:** (a) Is the Government aware that the druggists dealing in country medicines never change their stocks till they are rotten and putrefied and thus do more harm than good?

(b) Will the Government be pleased to order excise inspectors or sub-assistant surgeons to inspect these shops once a year?

Mr. G. B. F. Muir: (a) Government has no information.

(b) The honourable member's attention is invited to the Prevention of Adulteration Act, VI of 1922, and to sections 243, 244 and 298 (2) J (h) of the United Provinces Municipalities Act, II of 1916. Under all of these provisions of law it is for the local body to take action.

GENERAL DISCUSSION OF THE BUDGET.

Maulvi Abdul Hakim: I have read very carefully the Budget statement made by the Hon'ble Finance Member. It appears to me that he has raised three specific points for the consideration of the House. First, the financial condition of the province has not been satisfactory during the last years. Secondly, all necessary economies and retrenchments have been effected. Thirdly, in spite of these retrenchments and economies it is necessary to raise certain fresh taxes. The Hon'ble Finance Member says that if those taxes are not sanctioned by the House Government will be compelled to cut down certain provisions for the Transferred departments. As regards the first point, I entirely agree with the Hon'ble Finance Member. As to the remaining two points I do not agree with him. Yesterday it was urged by several honourable members that a great deal more could be done in the way of economy by following the recommendations of the Economy Committee. I need not refer to those recommendations, as they are in the report and the Government knows them. I have carefully gone through the report of the Economy Committee and I have also read very carefully the resolution of the Government thereon. There is one thing that strikes me, and I think I should express it. As I read them I got the painful impression that, while Government were very prompt in accepting the recommendations of the Economy Committee affecting the posts of low-paid Government servants, they have shown a decided partiality in respect of higher services. If this is the result of the investigation of the Economy Committee, I have no hesitation in saying that the Economy Committee, though unconsciously, have led to the growing unpopularity of the Reforms, and have made the position of their defenders very awkward and difficult. As to the question of fresh taxation, I think it is necessary for this House to be very frank. We should emphatically declare that we are not going to sanction any further taxes this year and that in any case we are not going to sanction the two taxes, namely, the court fees and the stamp taxes. Thus, there will be three alternatives left for Government. Government must either effect retrenchment in respect of higher services or approach the Central Government with a view to securing a remission, partial or wholesale, of the provincial contribution of

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Rs. 240 lakhs or else be faced with wilful bankruptcy. We have already given about 720 lakhs as contribution in the last three years. It is time that we should declare that we are not going to pay any more. I am quite sure that if the Local Government will be stiff and make a representation, the Central Government will realize the justice of our case. The Hon'ble the Finance Member proposes to raise about 27 lakhs by the imposition of these four additional taxes. If only a part of our provincial contribution were remitted there would be no need for any further taxation. I am also sure that if this House is going to yield in the matter of the imposition of fresh taxes then certainly the Government of India will insist on our giving our full quota. I would therefore say that this House should make it clear that at least this year we are not going to raise any fresh taxes.

Now I want to refer to the policy of Government with regard to certain departments. There are certain departments better known as "nation building" departments upon which Government should spend as lavishly as possible. Education is one of those departments. We are satisfied that Government has during the last three years given more and more money to education, but I think Government could have given more and would have been justified in giving more. The Hon'ble the Finance Member at page 4 of his statement says:—"The department of Education now costs much more than any other department". This is true, but I think this alone is not sufficient to satisfy us. We should see what proportion of the total receipts of the province is being spent upon education. In the budget we find a provision of 172 lakhs for education. This is about 10 per cent. of the total receipts. I think it is not sufficient considering the vastness and backwardness of our province. Now I come to the second question—and that I think is a more important question—that is, what proportion of the total provision for education Government ought to spend upon the university, and secondary and primary education. I think Government so far have not paid sufficient attention to the importance of primary education. During the last three years a great deal has been done in the cause of the secondary and the university education, but it appears to me that full attention has not been paid to the cause of primary education. We all know that without an educated electorate democratic institutions cannot grow nor can they be maintained. If we want to have Swaraj or self-government and also if we want to retain it after getting it, we must try to spend all available resources upon removing the illiteracy of the masses. I shall here refer the House to a passage in the Resolution of the Local Government on the recommendations of the Economy Committee. This particular passage embodying the views of the Economy Committee fully shows the position of these provinces in regard to education. It is as follows:—"In these provinces the expenditure on university education is more than in any province outside Bengal. On secondary education, not only is the expenditure absolutely 50 per cent. more than in Bengal, Madras or Bombay, but the proportion which it bears to the whole expenditure on education is higher than in any of the three presidency provinces. On primary education the expenditure has risen enormously of late years. On the other hand the expenditure per head of population on education on these provinces is low, being only Re. 0.34 as against Re. 0.94 in Bombay and Re. 0.36

in Madras, although it compares favourably with the figures Re. 0.26 for Bengal; and the proportion of provincial revenues devoted to education in the United Provinces is a little over 8 per cent. as against 13.7 in Bombay and 12.6 per cent. in Bengal." Now, let us examine the budget from this point of view. What do we find? We find that in the budget there is an increase of about two lakhs in the expenditure for the university education, another increase of six lakhs in the provision for the secondary education, whereas there is a decrease of about two lakhs in the case of primary education. What does it show? Does it not show that the Government is following a wrong policy? I think it is now time that Government should decide to devote the major portion of the provision for education to advancing the cause of primary education. In the first place, I think, Government should fix tentatively a period in which they hope to be able to remove illiteracy of the masses and then set about carrying out that purpose and with this object in view Government may, if necessary, appoint a Special Officer to look into the matter. After dealing with this head I will say a few words about certain other heads, but before I leave the subject of education I may add a few words more. The Economy Committee have recommended that the posts of Deputy Inspectors for Muhammadan Schools should be abolished. I make an emphatic protest against this proposal. The Deputy Inspectors were appointed for the effective supervision of *maktabs*. All these *maktabs* were established because of the backwardness of Muhammadans in the matter of education. Since the appointment of these Deputy Inspectors a large number of *maktabs* have sprung up and if you are going to remove these Deputy Inspectors, then take it from me that these *maktabs* will disappear by and by. Muhammadans are still backward in the matter of education, as the recent report of the Education department shows. There has been an increase of pupils in the case of Hindus to the extent of 5.3 per cent. Whereas in the case of Muhammadans the increase is only 3.4 per cent. Considering the backwardness of the Muhammadans in education, I think it is necessary that the posts of the Deputy Inspectors of Muhammadan Schools should not be abolished.

Now I come to the department of Police. A great deal was said yesterday about the Police, and though I am not a believer in the entire removal of the department as some honourable members are, yet I would say that a great deal can be effected in the way of retrenchment of the expenses of the Police department, if only the Government cares to follow the recommendations of the Economy Committee. I think the Government should fearlessly follow those recommendations; for the Committee had the advantage of the guidance and advice of two very learned and experienced members of the Indian Civil Service. If Government carries out the necessary retrenchment in the Police department, much money would, I think, be available for the cause of education. The more Government spends on education, I am sure, the less need there will be for expenditure on Police.

I would say a few words with regard to Public Health. I find that even in respect of this matter the Government has not made adequate provision. The Government knows that certain diseases are playing havoc in these provinces for the last several years and yet very little has been done to free these provinces from those diseases. There

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is one thing that has struck me particularly in this budget, namely, the omission of any special provision for maternity and child-welfare. I went through the budget very carefully and have not come across any such provision. If there is any, I hope the Hon'ble the Finance Member will correct me. It has been calculated that one out of every five children born in India dies in its first year and 50 per cent. die before they reach their seventh year. If that is so—and every Indian knows that it is so—there is no reason why a special provision should not be made on this account.

With these few observations I finish.

Nawabzada Muhammad Yusuf: I rise to congratulate the Hon'ble the Finance Member for making a straightforward, lucid, and convincing statement. I am sure it will command the admiration of the House. When we bear in mind the comparison that he has drawn between the budget of 1923-24 and the estimated budget for the coming year, we will find that it is particularly refreshing and satisfactory.

On the face of it, bearing in mind that 13 crores and 70 lakhs and odd were the estimate of 1923-24 and the revised estimate was 13 crores and 60 lakhs and odd, and that of 1924-25 is 13 crores and 20 lakhs, that is less by 50 lakhs 28 thousand, and the revised estimate is less by Rs. 40,47,000, the statement is encouraging. Another remarkable history that he has given as to the expenditure is his survey from 1921 up to present time as to how the expenditure has decreased. In the reserved departments we find that one crore has been cut down. It was a matter of very great gratification to us all. We also find a 22 lakhs decrease in the transferred departments. These cuts might have been in the right direction, but, Sir, I am bound to raise a voice of protest that these cuts should not have gone to other heads, rather they ought to have been devoted to education and education alone. Now Sir, passing on, I am bound to refer to the provincial contribution that we make to the Central Government. I am sure this matter must have been referred to by practically all the members of this House. The Government are aware of the feelings of this House on the question. We have already passed resolutions in the past asking the Central Government to stop asking us for this contribution, but, Sir, I would say that the contribution should stop forthwith because it is highly detrimental to nation-building items, which, in this province, badly need financing, and the stringent financial position does not permit us to spend more on education, which is the crying need of this province not to say of India.

Then, Sir, as regards the provincial contribution we are aware that Sir Basil Blackett has already foreshadowed that if the members of the Legislative Assembly are willing to reduce the salt tax to Rs. 2 and not to Rs. 1.4, then they will be willing to consider the reduction of the provincial contribution. By doing so he has made a tactical move, seeking thereby a split among the members of the Assembly. But, Sir, I hope the members of the Assembly will not be taken in and that they will, while carrying on the reduction of the salt tax, also bear in mind the reduction of the provincial contributions. I hope they will be able to carry out further cuts as they proceed with the demand in the

Legislative Assembly and make further reductions in provincial contributions and also further reduce the salt tax.

The Hon'ble the President : The honourable member ought to be in the Assembly, not here apparently.

Nawabzada Muhammad Yusuf : I could not help referring to it, as that question is bound up with the provincial contribution which weighs so heavily on us. I would say that this contribution should not any longer be made from the provinces and, as has already been said by some other members, unless our Government brings it home to the Central Government that it is absolutely necessary in the interests of the province that this contribution should stop, I doubt very much whether the Central Government is likely to take the matter up seriously. We find that only a reduction of 30 lakhs would be allowed by the Central Government to this province. I say that this is not very satisfactory. I hope further reduction will be made and all this saving spent on nation building subjects, particularly on education in the province. Now, Sir, proceeding, I would just like to touch on the administration of justice. We find that 1,30, is the amount that is going to be spent for the general administration of justice. In this connection I cannot fail to refer again to the separation of the judicial and executive functions. We are very grateful to the Hon'ble the Finance Member for providing for the scheme of separation of judicial and executive functions. He has already said in his statement that a sum of 4 to 5 lakhs will be specially reserved for this purpose. But, Sir, I fear that, although it is said this sum will be enough for initial purposes, I do not think it will be sufficient, and the mere fact that such a small sum has been set aside for this purpose gives rise to a suspicion that this scheme may be further delayed, for which I do not say that this province may be responsible. I am aware, Sir, that the Central Government says that the opinion of other provinces must also come up before they give final consideration to it. I would say that our province ought to press upon the Central Government that when once the people of the province, when once the Legislature of the province, and when the Government of the province have made up their minds to give effect to such a scheme, the Central Government should not stand in its way, and should give its sanction in ordinary course. Now, Sir, I would pass on to education. We are grateful to the Hon'ble the Finance Member for this increased expenditure of 11 lakhs and odd; but this does not yet satisfy the public demand. This does not fully satisfy us, in so far that it is not likely to help on any really satisfactory scheme and improve the condition of our education.

Let us take higher university education. We find that a large section of this House do not look with favour on the affiliation of the internal or teaching side with the external side. They want that the two should be separated and as a consequence another university ought to be established. That naturally would mean more expenditure. Then proceeding, we find that the Local Government in its review of education says, as the universities are always drawing upon the finances of the province it is necessary to impose some check on them. I say no check ought to be placed on them; more and yet more money should be spent, and I hope the Hon'ble the Finance Member will see his way to finance any scheme that is brought forward by the University for higher education.

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Passing on to secondary education, I say, no doubt we have got as many as eight municipalities affording free and compulsory education, but that would not satisfy us all. We want a bolder and a more forward policy of education if we really are to bring about the salvation of our province, educationally, socially, and politically. It is in the interests of the province and, I would go so far as to say, it is in the interests of the Government itself, to go ahead with a forward policy of primary education. Nothing short of a free and general compulsory education will satisfy the people at large. We are also aware that the number of Intermediate Colleges has gone up to 14. These, I am sure, do not fully supply the needs of the province. More Intermediate Colleges ought to be established and yet more money ought to be spent for the expansion of this scheme. I make bold to say that if even one-third of the revenue is spent it would not be a big sum. Further, we find that these Intermediate Colleges have ill-equipped laboratories. We find that the combination of senior and junior classes is not looked upon with favour by educational authorities. Then we find that the fear is entertained that the Principals of these colleges are likely to devote more attention to the senior classes than to the junior. I would say that in the interests of education more money ought to be spent on secondary education and things ought to be brought to a satisfactory condition.

I have already referred to primary education and I need not say more, except that no sum will be too big to spend for this object. Every little bit of money that we can save should be spent on free and compulsory primary education.

I would pass on now to Public Health. I find that this year the amount has risen from 15½ to 24½ lakhs. I recognize the generosity of the Hon'ble the Finance Member. But the figure of 24½ lakhs after all is not much having regard to the requirements of the people. In this connection I would suggest that *unani* treatment ought to be encouraged and some system ought to be evolved which may be cheaper and at least as efficient as the English treatment which is afforded by the Government. Proceeding further, I find, Sir, that under Excise there is a fall of revenue by 7 lakhs. This is very gratifying. I am aware of the fact that people say that at present we cannot afford to do away entirely with this tax. We want money for education; we want money for several other purposes, such as nation building departments and therefore we cannot do away with it at present. But I cannot possibly see eye to eye with those who hold this view. I would rather do away with this revenue at once. But if that cannot be done, having regard to the financial stringency of the province, then certainly the revenue ought to decrease progressively and the only method of decreasing the revenue is by making more prohibitive rules and laws and by spending less money on this department.

Coming to Forests, Sir, I would say that one lakh and something more is going to be spent on two tramways. This is very desirable. I am sure this will lead to very good results. In this connection I cannot fail to give expression to the feelings of many a member who represents the hill tracts. They have already given expression to their

feelings on another occasion about the treatment that is meted out to those hill people who live there and whose interest is permanently bound up with those jungles where they have got to live and work out their own salvation. It has been said that certain laws operate very harshly on those and many innocent people are subjected to great hardship by being prosecuted for trivial matters, such as taking of dry leaves and dry twigs. I hope Sir, Government will see its way to take necessary steps with a view to remove this grievance of the people.

The Hon'ble the President : The honourable member's time is up.

Nawabzada Muhammad Yusuf : As there is no time at my disposal, I shall wind up my speech by once more congratulating the Hon'ble the Finance Member for the clear, straightforward, and also attractive statement which he has made. I cannot fail also to congratulate the Hon'ble the Finance Secretary who must have spent a lot of time over the budget and, I am sure, has not spared himself in preparing such an attractive statement of the budget for which he is also responsible to a large extent.

Mr. Masud-uz-zaman : I realize the difficulties in the preparation of what I call the most difficult task of the year for the Finance department, i.e., the preparation of the budget and I offer my congratulations to the Finance department for accomplishing that task and to the Hon'ble the Finance Member for the very lucid and fluent statement which he has made in presenting this budget. In his statement of last year's budget he explained the former Government's mistake of overestimating the revenues. In fact, in this year's budget that mistake has also been pointed out ; but are we sure that we are not making the reverse mistake of underrating our revenue and overestimating our expenditure ? I have heard an Indian saying that rashness is a lesser evil than timidity. I do not know whether it is out of want of boldness on the part of the Government or out of the desire to rush through the taxation now proposed ; but I do know that the budget as it is presented to us shows in my opinion that the Government have been underrating the revenues and over-budgeting the expenditure, with the result that it leaves us, the members of the Council, in the dark as to what really our financial position would be after the discussion of the budget demands are over. It will be admitted, Sir, that taxation is a problem for us, the representatives of the people, which we cannot afford to deal with light-heartedly. Unless we become sure that we have exhausted all the possibilities of rigid economy, it will be very difficult for us to consent to any fresh taxation.

In the circumstances I think the proper time for presenting the proposals for fresh taxation was not in the middle of the discussions of demands but after the budget discussions were over. The Local Government would then be in a position to say that so much is the deficit and it must be recouped by means of fresh taxation. I, therefore, propose that the consideration of these taxation measures should be postponed for the time being. Personally, I think, Sir, that we have not started the campaign of rigid economy very seriously, because the recommendations of the Economy Committee, though still insufficient, have not been followed by the Government in full. In fact, the resolution in which the Government has to a certain extent accepted these proposals shows that they hesitate even now to accept the proposals in full. The Economy Committee has recommended that the

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post of one Deputy Inspector-General of Police at least may be done away with and the Criminal Investigation department also should be done away with. We see that the Government has started economy in the wrong way. They have done away with so many hundreds of chaukidars, while these posts still continue. There is an Indian proverb, Sir, to the effect that "the coals are put under lock while gold mohurs are thrown away in the street." That is how we propose to economize. We remember owing to the clamorous demand for retrenchment in the Police department we made several suggestions, such as the abolition of the post of inspectors, the abolition of the post of Deputy Inspector-General of Police, and so forth. But the policy which was followed towards the subordinate police continues in spite of the fact that year after year it has been pointed out in this very Council Hall that the morals of our subordinate police are worse than those of the subordinate police anywhere in any province in India. There were certain schemes suggested to remove the malpractices of these subordinate police officers, and one method that was suggested was the separation of the judicial from executive functions. This scheme was proposed mainly with a view to see that the morals of the subordinate police are improved. At what stage that scheme is and what is being done about it, we are absolutely in the dark. The other method that was suggested was the appointment of an advisory committee of the Council for the Police department, but it was rejected *ab initio*.

When we find that to dispose of nearly seven appeals a highly-paid officer of the rank of Deputy Inspector-General of Police is kept on and that chaukidars who at least help towards the preservation of peace in villages are done away with, how can we expect that there will be rigid economy in these departments?

Coming, Sir, to the Transferred departments, I was rather surprised to see in the recommendation of the Economy Committee that the post of the Deputy Inspector of Muhammadan Schools is to be abolished. I was still more surprised to see the remarks of a member of that committee to the effect that the District Maktab Committees were worthless bodies. Sir, my own experience is quite different. I have great respect for these committees for the work that they have been doing. These Maktab Committees were formed in the year 1916, and I may point out by way of illustration the position in my own district where there were hardly a sufficient number of schools to use that portion of the grant which was allotted for the purpose of Muslim primary education. Today nearly 35 schools (and maktabas besides) have sprung up and very little of this grant remains to be utilized and very little amount lapses at the end of the year. I was going to suggest that this money which in some district lapses year after year, because it is not utilized, should be transferred to such other districts where it is badly required.

As regards primary education, I suppose everyone has spoken very emphatically in favour of promoting compulsory primary education. Yesterday my honourable friend the Secretary for Education said that they had already made a start towards compulsory primary education. I know that a start was made. What sort of a start is it? When I was the chairman of the municipal board of Bandi, I received a communication from the Government saying that they would be prepared to

advance a portion of the expenditure if the board formulated a scheme and presented it to the Government with a view to introducing compulsory primary education within the municipality. I gave a prominent place to this scheme in the resolution book and we at once took immediate action. Now I have retired and therefore do not know what exactly is the position, but I know this much that, so far as my policy was concerned, it is being followed even now in the municipal board of Banda. I know that they would not have rejected the scheme of their own accord. I learn from a reply to a question that in Banda no effect has up to this time been given to that scheme. I hope that this start will year after year increase and we will soon reach some satisfactory point. It is really very objectionable that, while money should be so badly wanted for the purpose of primary education and for so many other nation-building departments, it is being spent so recklessly for keeping up the Improvement Trusts. Apart from the fact that these Improvement Trusts cause a great hardship to the public, there are glaring instances in which money has been spent recklessly. Take the case of the Lucknow Improvement Trust where for the sake of economy an honorary chairman was appointed, but even then no economy has been effected. For example, one assistant was required by the former chairman, but now the new chairman has introduced another secretary of the same pay, viz. Rs. 400 a month. There are two engineers, if I am rightly informed, and highly-paid executive officers too. While money is being wasted in improving the city, the boys of the villagers play in streets and no care is being taken to give them education.

I am glad to see that some economy has been effected in the department of Agriculture by abolishing two farms. I do not regret the abolition of these farms. We have now come to such a point that we can now easily go beyond mere experiments and demonstrations. It has already been proposed once in the Board of Agriculture that costly machines which are beyond the means of poor agriculturists should be purchased by the Agricultural department and lent to agriculturists for use. I do not deny that some of the European methods are economical and useful, but the masses have not got such a large amount of money as to purchase them. In American countries it is a system that private people keep the machines and lend them to agriculturists. I think Government should purchase tractors and other machines in each district and lend them to agriculturists. I think by this method we can save a great deal of money and also help the cultivation of the soil.

Lala Babu Lal: I rise at the opportunity to offer my congratulations which the Hon'ble the Minister has so richly deserved for his interesting presentation of the budget.

Certain charges set forth in the budget, which have been diverted to other heads, have been a very welcome feature—as that would ensure that the funds are not so far blocked up. Certain figures, as shown in the budget, have been shown net. It would be a matter of great importance if, together with those figures, the capital outlay on these departments, and a glance at the progress or the retardation

[Lala Babu Lal.]

Coming to the budget proper, I find that already much ground has been traversed by the honourable members who have preceded me, and I can make no new contribution. However, there are a few outstanding facts which require essential touching. One is the financial embarrassment, which we, even after years of retrenchment and a number of measures taken for the expansion of revenues, find ourselves in. Not only has the opening balance of Rs. 2,52,00,000 been wiped out, but, as would be revealed from the closing balance of the current year, the overdraft on the loan has increased to 129 from 126, while the funds available for general purposes have decreased from 84 to 58.

The remedy that has been proposed for this state of affairs by the honourable members is the extinction of the Government of India contribution. In this connection I am glad to learn from the budget statement made the other day in the Assembly that the Central Government is going to grant us a remission which may extend to thirty lakhs, but at that rate it will take no less than eight years for the complete extinction of that unjust and unfair contribution, and I am sure this Council is not going to be satisfied with that slow progress. I would therefore earnestly request the Hon'ble the Finance Member to make a strong representation to the Central Government with a view to secure a complete extinction of our contribution, if not immediately, then at least within the course of two or three years. The other remedy is of retrenchment. Here the Hon'ble the Finance Member holds out the threat that no more economies are possible, and even, if possible, they will go to the Transferred departments, I am sure the Council is not going to take that threat very seriously in view of the report of the Retrenchment Committee, which has been recently published. The honourable member for Meerut gave a catalogue of retrenchments from that report yesterday which, if given effect to, will effect substantial and large economies. I can only say that the most advisable and proper course is first to give the fullest possible effect to that report. There is a saying prevalent in business circles that European firms fail because of extravagance, while Indian firms fail through inefficient management. I hope the Hon'ble the Finance Member will effect economies like that of the Indian firms and keep efficient management like that of the European firms. I come to the development of nation-building departments. First, there is education. It is well that the provision for this department has been constantly increasing and has increased from 1,10,00, to 1,73,00. But are the results equally satisfactory? I would like to know what has become of the compulsory primary education scheme. How has it been given effect to? How many municipalities and district boards have availed themselves of it? I believe that financial stringency of these local bodies stands in the way of effect being given to that scheme and it will be a long time before any relief can be expected from that quarter. Because of that, is the Government to shelve all important and beneficial measures? In view of the backwardness of the provinces, I am sure the scheme does not deserve to be shelved and must be taken in hand in a businesslike manner. A criticism has been launched against the education system of the province on its top-heaviness, which only means that greater attention must be concentrated on primary education. While dealing with primary education, I will make one observation and it is this, that primary education should be

directed with a special view of making the agriculturist an economical man. Already there are a number of wasteful habits prevalent amongst these classes which do a lot of harm to them, and if something could be done it will better their lot a good deal. The problem may be a difficult one, but I believe that by the careful selection of books and curricula and in some such other way as may appeal to the department it may prove not insolvable. I come to agriculture. Under this beneficial department it is a pity that the budget provision has been reduced. What State stimulus can do in the development of these is very well illustrated by the achievement of the Danes, who, during the course of 20 years, were able to increase the yield of cereals by 24 per cent. and were able to increase the yield of butter to three times the original. That will show, if proper funds are available and if energies are well directed, what these provinces will be able to achieve. I earnestly recommend the taking of these measures. Coming to industries I see that here again the budget provision is less than in the last budget. The chief industries of the province are glass, sugar, and oil-crushing. These all require the protection and promotion by the Government and I am sure that steps will be taken with that object in view. There is one thing more before I finish. It is that the Hon'ble the Finance Member while not admitting the injustice that the irrigation rates are excessive and unjust, is prepared to meet the wishes of the agricultural community and is prepared to give relief for the development of the industries of the province. I was also glad that a resolution was unanimously passed by this Council with the same view. I only hope that the Hon'ble the Finance Member will not make half-hearted reduction but will come forward and make a whole-hearted and substantial reduction in the irrigation rates, as whatever loss may be suffered by the province in the matter of finance will, I believe, be more than compensated by the gratitude that would be earned of the agricultural classes.

Mr. Mukandi Lal : To some, Mr. President, this discussion on the budget is a sham fight ; to some it is a field trial, and to others it may be a bull fight. It is a sham fight to the future Ministers ; it is a field trial to the would-be debaters ; and, if I may be permitted to say so, it is a bull fight to Government benches—the part of red-rag being played by the white caps. To some members it gives an opportunity of lavishing profuse congratulations on, and offering thanks to, Government members. To others, it gives an opportunity of displaying their modesty, as it offered an opportunity to my honourable friend the Education Secretary. In spite of his being one of the brilliant graduates of the Oxford University, he had the modesty, yesterday afternoon, to say that he does not think that the foreign degrees are superior to Indian degrees. Let me hope he will remember what he said, in this House, when judging the qualifications of the Indian graduates, in giving them appointments in his departments. For my part I must say that I would not admit that even a Cantab. is as good as an Oxon. and I am proud of being an Oxonian. To some friends it gives an opportunity of singing the praises of the steel frame. But they do not go to the full length in showering on it all praises that are its due. It is a driving force ; it is an oppressing force ; it is a grabbing power. The three-quarters of the budget goes to lubricate the wheels of the steel frame.

[Mr. Mukandi Lal.]

In spite of all the praises and promises of economy we do not find the Hon'ble the Finance Member saying that he has done his best to bring the expenditure to the lowest level. The King-Emperor, in 1921, in one of his speeches, said :—

"The Government is determined to reduce the expenditure to the lowest level." I wonder if the Hon'ble the Finance Member has tried his best to bring expenditure to the lowest level.

I, Mr. President, join debate not as an individual member of this House but as a member of the *Swaraj* party, a member of that party to which you allotted the place of honour, and I thank you for the honour accorded to us. Personally, I do think that it is an honour to belong to the Opposition rather than to the Government, at least to the present Government. Apart from that, I must say that, happily even at this hour, when perhaps motives are attributed to us for entering the Council, perhaps our aims and our *bona fides* is questioned, I find the Secretary of State for India, Lord Olivier, practically agreeing with us. He said, on 26th February last :—"His Majesty's Government has the same ultimate aim as the Indian *Swaraj* party, namely the substitution of responsible Indian Dominion Government for the present admittedly transitional political constitution." Our aim is not less than this; and, as we have more than once said, it is not, at present, higher than this. It was with this moderate aim in view that a definite demand was placed before the Government, and the answer that has been received is, I would say, not a definite and final answer. To me it appears to be a feeler. And if we can give an appropriate answer from India, that feeler might prove the strongest string in our bow and might ultimately bring down to us what we demand. That is to say, we have decided a definite policy and I will let you know what that policy actually is when I come to close my observations, but before I do so I wish to deal with this budget.

It is evident from the professions of our leaders, which have been repeated from time to time, that we have entered the Councils and the Assembly "to co-operate with the Government if it will co-operate with us." And what do we find? I mention this more particularly because I shall submit to this Council, ultimately, that, as the Government is not prepared to co-operate with us, we will refuse supplies. It is true that we being in a minority may not be able to indicate our dissent by votes in an effective manner, but, so far as this general discussion is concerned, I personally propose to make out a case for the refusal of the demands. Sir, we have already said that we have entered these Councils to co-operate. But what do we find on the part of the Government? Only the other day, when some of us were prepared to consider the question of acting on Forest Advisory Board and to offer our co-operation, with the Forest department, so far as the grievances of the people of the Kumaun division were concerned, we found that, in spite of the promise that was made to me, in private, by some members of the Government, the Government opposed the motion for adjournment of the election to a future date. That is one instance of non-co-operation inside the Council. Outside the Council, too, there are many instances of non-co-operation on the part of the Government. I can give the names of those members of the Government who do not like to co-operate with us. I can cite at least one instance of a district officer who is to my mind the greatest non-co-operator in the Civil Service of the United Provinces;

and here is an instance of non-co-operation outside the Council. We are, therefore, bound to refuse supplies. I am going to urge refusal of supplies because we find that Government is irresponsible, though two Ministers in the present Government may be called responsible to the Legislature. Yet I do not think that they are responsible, in the strictly constitutional sense of the word to the Council. Because, supposing a motion of non-confidence was passed against them, I am sure they would not resign, as they have not done in the case of other provinces; therefore they are not responsible to the Legislature. There is also another ground for refusing supplies, viz. that promises are made to us—and have been made from 1857—only to be broken. Now we have come to a certain stage. There is in England a new government in power. We hope that the new government will now see its way to break away from the past, and that the representatives of the British Government in India will now be prepared to open a new chapter in the history of India for an amicable settlement.

It is only in this sort of debates that we have an opportunity of criticizing the general policy of the Government and expounding our own policy.

I would, for the sake of information of this House, if it has not already been read in the Press, quote what our leader, Pandit Moti Lal Nehru, said in the Assembly:—

“We are not here simply to wreck or to destroy. We have come to ask you to meet us so that we may put our heads together and come to some understanding. It is no business of ours to wreck the things which we believe are doing good to the country.” That is our profession and we will abide by our profession: we will not forget our aim.

Now, let me see whether economies have been effected by the Government in the departments where they are called for; called for not only by the people but recommended by the deputies and representatives of the Government themselves. A committee was appointed to consider the abolition of commissionerships; and I understand it was of opinion that if all the commissionerships were abolished, there would be a saving of seven lakhs or, after making some allowance for consequent changes, there would be a saving of five lakhs. The Government has turned a deaf ear to the recommendation of the committee which was appointed by it. It is admitted even by high Government officials that commissionerships are superfluous. Sir Ludovic Porter said that the Commissioners were coachmen to drive teams of horses, i. e., the deputy commissioners and collectors. Mr. Gokhale said some time ago that it was a fifth wheel to the coach. It is agreed now that it is a superfluous office. It is a sort of post-box into which letters are posted to be communicated to the Local Government. I hope Government will soon see that there is no need of keeping a post-box between the Provincial Government and the district administration. I would like to see direct communication established between the Local Government and the district administration and I hope this reform will soon be brought into force.

Now I come to the separation of judicial and executive functions. I bring this matter into the discussion because I may not have an opportunity of discussing it in the course of the debate on demands, as there is no provision made for it in the budget. The necessity of this reform is admitted by authorities like the Police Commission which not now,

[Mr. Mukandi Lal.]

but so long ago as 1860 was of opinion that "It was most objectionable that the officer responsible for collecting evidence and prosecuting through the police should be the trial judge." Even so far back as 1908, Sir Harvey Adamson said in the course of the budget debate that "the inevitable result of the present system is that criminal trials affecting the general peace of the district are not always conducted in an atmosphere of actual impartiality which should pervade a court of justice." I submit that it is not mere justice in the courts of law that is required, but confidence in the courts is required. The courts have got to be above suspicion; they should inspire confidence. This is a reform which has been advocated for a long time and has been the crying need of the country. I venture to suggest that if reform were effected, I do not think it would require extra taxation or any extra amount of funds to separate the two functions.

Then, Sir, I again submit that when we come to consider the demands of the present Government, we have got to see whether we should finance that Government which even to-day without any rhyme or reason permits the application of section 144, Criminal Procedure Code. Only so recently as the 15th January last this section was applied at Bageshwar without any provocation, without any reason, and a boy of very tender age was sentenced to three years' imprisonment for the slight offence of breaking that section, which was applied there, as I have said, without any reason. And he is not the only one. There were six more with him similarly punished.

Even today, Sir, when His Excellency the Governor is pleased to release political prisoners, you are increasing their number. There are two or three prosecutions proceeding in Almora. Is that the way in which you ask us to help you, to grant you your supplies, to vote for your budget? I submit that this is not the way to ask for supplies. You have got to mend your ways, and we will then help you.

Finally, I know that we may refuse your demands; we may do what we like with the budget, but you can still go on exploiting; you can go on spending. But, then, it is our right also that we can go on criticizing and opposing and pointing out your faults; and I do hope the time will soon come when we will be in a position to make our voice heard, when we will be in a position to mend our house and to arrange matters in a satisfactory manner for the good of the people whom we represent here in this Council.

Babu Nemi Saran : I wish, Sir, that I could have spoken in my mother-tongue, in the language of this province, but in view of your repeated rulings on this subject, I do not make bold to ask you for another ruling. I will try my best to express my ideas in the language that is the recognized language of this Council—English. But I want to inform the Council that it will not be my fault if I err on the language side, and if my language is not up to the high traditions of this honourable House.

Sir, as regards the budget, as Mr. Mukandi Lal has explained something of the position of our party, I need not go further. On the separate items of the budget given to us, and as the policy of my party, I do not think that it rests with me either to congratulate or to complain

against the Hon'ble the Finance Member for presenting the budget in the form in which it is presented to us. I know, Sir, that the Hon'ble the Finance Member sits safe in his chair, irrespective of the wishes of this Council and irrespective of the wishes of the tax-payer of India, and as such he cares little what we say or what we do or how we deal with the budget. I know that he is also fully aware of the certification powers of His Excellency the Governor in case this House refuses any demand. As such, Sir, I do not find it worth my while to go into the details of the budget and to criticize it item by item; but as a matter of general policy I would like to make a few remarks about it.

The budget as presented to us is *prima facie* a surplus budget, but if we go into it a little working out of the figures will show that the surplus budget in the face of an accumulated deficit of 1 crore 11 lakhs is a sham and a delusion. In reality, Sir, if the proposed taxes which are to come before us to be voted on tomorrow be refused, we find there would be a deficit of something like 15 lakhs. I also, when I studied the figures of the budget, found that the appropriation of the United Provinces development loan in balancing the previous deficits of the previous years is simply a case of misappropriation against the past Government and also against the present Government in so far as it goes on the same policy. As regards the figures, then, I find that the budget is far from being a surplus budget and much less a prosperity budget. Nor, Sir, I will like to say a few words as regards the retrenchment that has been effected by the present Government. It has been said by the Hon'ble the Finance Member that he has tried his best to cut out as much as he possibly could under the circumstances and there is no room left to cut out any more. I want to say that in reality there can be no retrenchment in the circumstances under which we labour today. So long as there is no retrenchment at the top, it is impossible that we can have any effective retrenchment in this province or in any Government as at present constituted. I know, Sir, that the hands of the present Government and of this Council are tied down by a constitution which denies them the right to have anything to do with the higher posts or the higher services. I also know, Sir, that this Council as at present constituted is not in a fit mood, perhaps, if the right is not given to it of doing anything about those higher services, to refuse the demands which are a corollary to these higher services, that is their menial and clerical establishments. By this I do not mean that the demands of the *Swarajists* would be satisfied if the services were Indianized or if the services came under the control of this Legislature and this Government. So long as this Government is not responsible to the present Legislature we cannot be satisfied. In reality the present Government though called responsible can in no way be called responsible to the Indian tax-payer. As has been already pointed out by Mr. Mukandi Lal, the Hon'ble Ministers no doubt have got a certain sort of responsibility which I call a sham responsibility to the Legislature. At the same time I must also remind this House that those departments which are called revenue-paying departments or feeding departments, are really in the hands of those gentlemen who have got nothing to do with the vote of this Council, and under the circumstances I think it is simply an insult to the Indian mind to give us this budget and ask us to criticize it when we fully know that our voice will be a voice in the wilderness.

[Babu Nemi Saran.]

Next, Sir, I want to come to certain items as represented in the budget. I will first like to say something about education. The Education department is a Transferred department and as such it will be said that we have got a right to say something on it, and the Hon'ble Minister in charge is said to be responsible to this Legislature. Sir, I have got nothing to say against the Minister, for he is quite new to this office, and the policy which is dictated in the budget is not, I think, the policy of the present Minister, as it is not a different policy from that of the past. When we got to the figures of education we find that there has been a cut in primary education. Then there is an increase in university and secondary education. I want to tell the Hon'ble the Minister of Education that he must look to the conditions of India as at present. He must look at the person who really pays the tax, he must look really to the needs of the person, Sir, whose pocket this money is coming out of. To make myself clear, university education is in no way helpful to the building up of the masses of India or in educating them or giving them any benefit, which they only derive from primary education. University education is given a large increase because the honourable members sitting in the House are more interested in it, as they themselves have had it. But, Sir, the House will kindly excuse me if I speak in the terms of a person toiling in the mid-day June sun at his plough rather than in the terms of an armchair politician who sits under an electric fan in the Council Chamber protected from the sun. Such persons as I refer to, the masses, are, in my opinion, not benefited by the cut made from primary education, and are not benefited so far as the present budget goes. There has been an increase throughout in the Education and several other departments. As has been rightly pointed out by the Hon'ble the Finance Member, the Education department has been financed to a much greater extent than what it used to be in the past. But as far as 90 per cent. of the masses of India go, it has got little effect. I do not know whether I am wrong in understanding it; and if I am right, then I will call the attention of the Hon'ble Minister to the fact that one lakh and thirteen thousand was cut from primary education according to the budget of 1923-24; and it is written as a lump reduction which was taken from that sub-head. If the lump reduction was made only in that sub-head, I do not see why that lump reduction should only have been made under the sub-head of primary education. As regards university education, I want to say, Sir, that being a graduate of the Allahabad University myself, I know what are the ends and the ways of the university-educated people. As at present circumstanced, Indians who generally get university education look to Government service and to Government officials for favour of giving them bread. I will request the Hon'ble the Minister of Education to see into the records and to find out how many university-educated people there are in this province who have taken up another career in life than Government service or the clerical service. I am aware that the greatest ambition of a man in the Muir Central College, to which I had the honour to belong, was to go to the Indian Civil Service, or, if not there, then to the Provincial Civil Service. If this is the goal of our education; if this is the way in which we are taught in India, I think it is better that we ought not to be educated at all. One thing more as far as education goes. It is that the education imparted to us in this province is anything

but national. I say, Sir, if you compare a lad in England with a lad in India, you will find that the Indian lad hardly knows what India is. He hardly knows what are the real sentiments of the Indian people. He will talk more of England, France and America than of India. He will know more of the history of foreign countries and foreign arts than of his own country. I do not say that all this the Hon'ble the Minister of Education will be able to do in a day. But I say this is a slur on India today as far as this department goes and a slur on our province. One thing more about education and it is this, that a student or a graduate coming out of a university hardly finds himself fully equipped to face the battle of life before him. He has not got the education of a practical man of the world. He has education to be a clerk, to sit at a desk and write judgments, but he has no real education to face the situation—how to earn money in other ways. Government can say that there are professional colleges in which they are taught mechanics and engineering and such other things by which a man can be self-supporting. But here I must differ. I must say there are two kinds of professional colleges, as the budget shows one the Roorkee Engineering College and the other colleges for training teachers. As far as the Roorkee College goes, the increase in demand this year over the demand of the previous year is Rs. 54,400. There has been much talk about the Roorkee College in the Economy Committee and in the Council Hall before, and I need not dwell on it. But I want to draw the attention of the Hon'ble the Minister of Education to the fact that the expenses of the Roorkee Engineering College are in no way counterbalanced by the advantages obtained by the tax-payer. If the Roorkee Engineering College is in any way fit, it is only fit for manufacturing engineers for the Imperial Service of Engineers or for the Provincial Engineering Service. I have not come across a single man who has come out of the Roorkee College who has gone on in his professional capacity and earned his livelihood in that way. The second item about which I want to make certain observations is the Industries department. I want the Hon'ble the Minister of Industries to let me know either when his demand for voting comes or any time he likes, what he has done for improving cottage industries in these provinces. What has he done to improve the industry of spinning and weaving? How many schools he had provided for the Indian people to learn spinning; how much aid he is going to give to the schools which have opened spinning classes? I think that spinning and weaving and, as a matter of fact, the *khaddar* is a red flag to the bureaucratic bull. Anyway I do not think that our Ministers who are responsible to this House, as they say, will fear it, for they themselves are after all one of us. I know that the Industries department is the worst equipped department in the whole budget. I do not know whether it is because Government does not think that industries in this province can be expanded or whether Government thinks there is no chance or no avenue for the development of industries. It rests with the Government to take any view it likes, but it goes to show to a layman like myself that the Government little cares for anything except of its own interest, its own prestige, i.e., the prestige of the bureaucracy. The Industries department and the Agriculture department are the departments of the people and such have little attraction for the bureaucrats. But I think the Hon'ble the Minister of Industries has strength enough to snatch something from them.

[Babu Nemi Saran.]

As regards jails and the reformation of criminal tribes, I want to say a few words. As regards jails, I have had the honour to gain first-hand information as I have been an inmate in it for a year. I hope the Hon'ble the Home Member will give his attention to what I am going to say, viz., that the Jail department is the most ill-managed department and perhaps because I have not got the experience of other departments, I may say that it is the worst department which he has under his control. Not because I have certain personal grievances against that department, but because when I compare the condition of the jails in this country with the condition of jails in other countries I find that our jails are a hell; they are not places where a criminal can be reformed in any way. I want the Hon'ble the Home Member to note that the jails as at present constituted in India and managed in India are a menace to Indian society; for it is not seldom that people of various views and of various types and status of life are thrown in them, some because of their moral turpitude and some because of their political opinions, and as such it is but necessary that the department should be so equipped as to give the best sort of education, or rather reformation, to those people who have a mind to reform themselves there. But from personal experience I can say that there is nothing like reformation in the present jails. Then regarding the reformation of criminal tribes, and the convict settlements, I want to say that the word "reformation" is a sham: it is simply a delusion. The convict settlements are in no way less hellish than the jails. As it is generally said that we want to reform criminals in them, it is wrong. People who are called criminals or habitual criminals or belonging to criminal tribes are taken away from different places in the country and put together in a certain place. But if my friends will like to have a look at these settlements they will soon find that the inmates of these settlements are the worst as regards their needs. These people generally go out of their settlements to commit dacoities, not because they really want to do it but because they are forced by circumstances. The people in these convict settlements are not given sufficient food and sufficient reward for the labour which they are generally forced to do there, and they leave these settlements because they are forced by their circumstances and by the circumstances of their families to go and earn their livelihood in some other way; and, as everyone knows, when a man is pinched hard, when a man is pressed and pressed, he goes to extremes just as it is in the case of the non-co-operators in India today.

As regards General Administration, I want to say a few words. It perhaps does not lie in my power to criticize that department, for it is a Reserved department and, as I have already said, this department is manned in its superior services by persons who are beyond our reach.

The Hon'ble the President: It is time the honourable member concluded his speech.

Babu Nemi Saran: I must say on behalf of my constituency that it is the most highly-paid and the most extravagant department, not as regards the junior services—as some might think—but, as I have

already said, as regards the higher services; and it is they who give the least benefit to the poor.

As regards taxation, the proposals for fresh taxation will come before us tomorrow. I am one with my friend Rai Bahadur Lala Sita Ram when he says his *swarajist* friends will not shirk their duty if they are called upon for taxation, but I say that taxation demanded by the Government as at present constituted can never be voted, can never be supplied by the present House, and much less by the *swarajist*; and if we go over the whole budget we will find that a good case will be made out—which it is impossible to do within these fifteen minutes—to say that the demands in this budget must be thrown out, at least so far as those heads are concerned which are quite repugnant to the Indian mind and sentiment.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Sir, the criticisms that have been levelled against the departments for which I am directly responsible are very few. They can be classified under two heads: those coming from those quarters that want to end the system and those coming from those quarters that want to mend the system.

I will take first those coming from those who want to mend the system. There are three departments about which criticism was made—Excise, Industries, and Agriculture. Excise is the department that is always attacked by the public and everybody among the non-officials has got some suspicions about this department. My friend the honourable member who represents the Indian Christian community here, Mr. David—who I am sorry is not here now—

[A voice:—He is here; he has changed his seat.]

He said that I am a teetotaler; at the same time, he wanted me to change my heart. I do not know, Sir, if a teetotaler changes his heart what he would become. However, I do not think that he meant I should take to drink.

My friend the honourable member for Meerut cum Aligarh Urban constituency said that the number of Assistant Excise Commissioners should be reduced. I would like to mention that we have seen the recommendations of the Economy Committee on the point, and when I move that head before the House I will explain the position of the Government—how far we are ready to accept them and how far practical difficulties lie in our way which force us not to accept them.

Coming to Agriculture, Sir, first I wish to thank my friend Hafiz Hidayat Hussain and also my friend the member for the Chamber of Commerce for the consideration they have shown to these departments by saying that they are beneficent departments and that they should not be touched. I entirely agree with them. As to Agriculture, I would like to say what progress has been made under this head since the time of Mr. Moreland. Now we have got 85 seed stores which were not in existence then; now we have got 15 demonstration farms; perhaps they were not so many then; also we have now got 40,000 acres of land on which better methods are being demonstrated for the good of the cultivator. The expenditure has risen on these, but it is due to expansion.

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan].

And the more we spend on these, I am sure, as my friend Mr. Har Prasad said the other day, the more will it be to the benefit of the tenant.

Now, Sir, coming to the other side of the criticism, that from those who want to end the system, I feel quite flattered to be addressed as one of them by my friend Mr. Nemi Saran. I confess that I am one of them, and although, Sir, I think they are bound by such rigid rules of party discipline that whatever we may say by way of argument they are unable to alter their course. But as a brother I would be failing in my duty if I do not tell them where I differ. What I want to ask them, Sir, is this. If they do not give us any grant; if they throw out the grants, then what would be the end? Do they want to have no progress for the time being? Sir, there is a proverb that "the worst enemy of good is the best." My friends are the followers of that proverb. They say that such and such department, for instance, the Agricultural department, is defective, therefore do away with it. I would ask them, Sir, that instead of doing away with the whole department why do they not come forward and help to mend it? They have only to ask a question, to move a resolution.

[An honourable member:—"Will you let us mend it?"]

By all means, Sir. Constitutionally they have got a right. It is not a question whether I would or would not allow them. They have got the right, as members of this Council, to move any resolution, to do whatever they like, with regard to the Transferred subjects. The Ministers are responsible to them and it is our earnest desire to run the Transferred departments as far as possible according to the wishes of the honourable members of this House. If they follow a policy of obstruction—I hope they would not do this—then I would simply say—

قرسم نه دسي به كعبه اے اعرابي * كين ده كه تو مي دوي به تركستانست

I agree with the Secretary of State when he said that his goal is the same as that of *swarajists*. And so is ours. We differ only in the means in reaching the goal. With these words, Sir, I hope that when the demands will come before this House my friends would feel the responsibility and would not like to throw them out.

Lieut. Shaikh Shahid Husain: If I rise to associate myself in the congratulations that have been offered to the Hon'ble the Finance Member and to the Finance Secretary I do so not because I agree with them, but because from past experience I am constrained to admit that this year's budget is certainly an improvement on the budgets that were presented not only in this Council but in the previous Councils in past years. If I do not agree with the details, it is due to the fact that the expenditure under the Reforms is not in proportion to the results achieved. Expenditure has been fast growing, and I would like to hear either from the Hon'ble the Finance Member or the Finance Secretary that the condition of the masses has improved. Sir, dyarchical stagnation is apparent on the face of budget.

(At this stage the Deputy President took the Chair.)

What with the provincial contributions, the votable and non-votable items and the re-payment of a sum of Rs. 25 lakhs to the Government of India, I am afraid I must say that the result of the budget is very disappointing reading. But, Sir, can we improve it? I submit, Sir, that under the present constitution we cannot. Unless and until a radical change is adopted, I think we will remain stationary, if not be in a worse position. As to the revenue derived from land it will be interesting for the honourable members of the House if I submit figures by way of comparison. I am sorry that I cannot give figures for 1912, as I have misplaced the copy, but in 1913 Government demand was Rs. 6,43,99,763. Compare it with the present demand which is Rs. 6,92,13,000. In other words, we have got an increase within the last ten or eleven years of Rs 48,13,237 in the amount of Government revenue, and yet the Government is still dissatisfied and is still asking for more in spite of our repeated humble requests that the time has come when the milch cow must get a little bit of rest. The answer of the Government is always in the negative. I submit that the time has now come for the Government to halt, and today I hope the Hon'ble the Finance Member will give the zamindar members of this House, who constitute the majority, not a vague assurance but an assurance which will carry conviction, that the demands of the zamindars will be not only considered but justly considered by the Government. If the Government wishes our support in the matter of fresh taxation, I submit that it will be wiser on the part of the Government to let us know definitely where we stand.

I do not wish to repeat my arguments which I made on the subject of provincial contribution in the budget debate in 1921. My own idea is that there is hardly any chance for the Hon'ble the Finance Member to get the promised sum of 30 lakhs. I know, Sir, that our Government did impress in the past on the Government of India that the provincial contribution was unfair but it had no effect. Although a promise has been given that the provincial contribution in time to come will be wiped out, yet in our need and distress I hope the demand of the whole country would again be forcibly put before the Government and it would be said that this injustice ought not to be continued a day longer.

Sir, with such expert educationists as we have in the persons of the two doctors seated on my left, I think it will be presumptuous for me to discuss that part of the budget which relates to education. But there is one matter to which I should like to draw the attention of the Hon'ble the Minister for Education, and that is in regard to the arrangements that exist in England for the benefit of those students who go there for the purpose of receiving technical education or joining the various universities. While on this, I do not wish to enter into a discussion as to the relative advantages of Western and Eastern degrees; but I may remark in passing that the independence of spirit which the learned doctor, the member for the Allahabad University, displayed the other day in his very original, lively, and vigorous speech, was perhaps the result of the education that he received in the Cambridge University. I am in a position to say so, as I have myself been his contemporary at Cambridge. What, however, I wish to emphasize is, that being both a Cantab and

[Lieut. Shaikh Shahid Husain.]

an Oxon., I feel that education in European countries has a liberalizing influence over the students who go there to complete their education. It is for this reason that I submit that suitable arrangements should be made in England for students who proceed there for education from these provinces. I had been to Europe last summer.

Kunwar Jagdish Prasad : Hear, hear.

Lieut. Shaikh Shahid Husain : I confess I am unable to realize the significance of the exclamatory remark made by the Education Secretary, and I hope he will make himself more clear when he speaks a second time. When I was in England, I went to 21, Cromwell Road, where Miss Beck is in charge of an institution where students who proceed from India receive all possible help and guidance. I also visited the Y. M. C. A. Hostel, the Shakespeare Hut and at both places I found that sufficient arrangements did not exist to meet the growing requirements. What strikes me to be most wanting there is some central place where students might occasionally meet and I feel that it is very essential that they should have one as soon as possible. I do not wish to take up the time of the House, because there are other fresh minds who will come out with fresh ideas, but I want to say one thing about the Court of Wards. There have been advisory boards for practically all the departments. The Court of Wards has no central advisory board and the administration of the department goes on in an irresponsible manner. I will deal more fully with this department when I have to deal with the demands, but I certainly wish to draw the attention of the Hon'ble the Finance Member that a central advisory board is absolutely necessary to help and guide the department.

Thakur Hanuman Singh : Before I make any observations on the budget proper I desire to associate myself with the honourable members who have preceded me in congratulating the Hon'ble the Finance Member and the Financial Secretary for the preparation of the budget. The terseness and lucidity combined with the explanatory memorandum make it a very interesting reading and study. In this connection I agree with those who have complained that the members get little time to study and digest the budget. It will be, I think, proper on the part of the Government to grant us a week's time for this preparation and then I think every one of us will be satisfied. To begin with, I am not quite satisfied with the budget which has been presented to the Council. There have been economies and retrenchments which have relieved to a certain extent the financial situation, but there is much room for further reductions and retrenchments. With this view of mine the Hon'ble the Finance Member agrees when in his statement he says that "there is more scope for retrenchments and economies." I regret that the Government has not been pleased to follow the recommendations of the Economy Committee generally, a committee which was presided over by Mr. Fremantle, whose varied experience of different departments is well-known to every one in this Council. But in spite of that the Government have not thought it fit to accept some of the most important recommendations. As a result of it the top-heaviness of the administration remains unaffected. Had the Government been pleased to give effect to those recommendations, I think there would have been a

beginning in the reduction of the top-heaviness of the administration about which there is a general complaint. Attempts to maintain equilibrium between revenue and expenditure with a sufficient closing balance with the aid of taxation is an attempt which cannot be called laudable. People are already over-taxed and any more taxation is likely to have a very disastrous effect on them. When last year this Council passed certain Acts imposing fresh taxes on the people, the people thought that they were temporary measures, and so they did not complain much about them, because they hoped that after a year the new taxes will be abolished and they will be in the position in which they were two years back. From the Hon'ble the Finance Member I learn that unless the duration of these Acts is extended to a year more, there will be a deficit in the budget and as a result of it there will be heavy cuts in the provisions for the Transferred departments. He has very cleverly put a bait before this Council that if the Court Fees Act, the Stamp Act, and the Motor Vehicles Act will be extended for a year more then he would consider the request of certain members or rather of this House to revise the rates on irrigation. As these taxes and irrigation rates both affect the purses of the people, so as far as may be, they should be either abolished or reduced to some reasonable extent. These are not the only taxes which the people are bearing. There is another tax, I mean the salt tax, about which there has been so much agitation in this country, and in England, but in spite of that it was imposed on the country which has been very adversely commented upon by the present Secretary of State. I do not know whether, in spite of the curse of such a high personage as the Secretary of State, this salt tax will continue to be a burden on the country or not : we have to wait and see. We have to pay 2 crores and 40 lakhs as provincial contribution to the Government of India annually. In spite of our repeated requests, in spite of our passing resolutions and in spite of the Government representations, the Government of India has not been pleased to make any reduction in that direction. Now it is considered in certain quarters that during the coming year we are likely to get a reduction in our contribution to the extent of about 30 lakhs. Well, that reduction should be welcomed by this House, and I hope that the taxes in this province will be reduced by an equal amount, so that the people who have to pay them may get some respite. On this occasion I wish to convey my views to this House on the top-heaviness of the administration, and to remove that top-heaviness it is very essential for us and for the Government to Indianize the services to a greater extent than at present. So long as it is not done, we cannot expect much reduction in taxes and we cannot spend as much money as we want to spend on the nation-building departments, which are more essential for the uplift of the country than anything else. I fear some more expenditure is to come on the country in a short time. The Lee Commission will submit its report on the services very soon, and as a result of it there will, I have no doubt, be an increase in the salaries, emoluments, and allowances of the All-India Services. It will be a burden on the country, heavier than it can easily bear. Indianization of the services is therefore very necessary. I find that provision has been made in the budget for certain new schemes, which in my humble opinion can stand over for some time or which can possibly be taken in hand next year. In this category I include the running of

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two tramways, the formation of a Subordinate Engineering Service of Public Works department, Irrigation branch, increase in the cadre of provincial judiciary, separation of the Women's Medical School at Agra, and certain others for which provision has been made.

I desire to be brief in my remarks. The Subordinate Engineering Service which has been proposed may be very necessary for the due discharge of the work; but when the work has been going on for so long a time without any addition to the present staff, it can very well go on with half the number proposed to be increased. Why should this service be constituted with its full strength in the very beginning? In the same way the proposed increase in the cadre of the provincial judiciary may be cut down by half, to be gradually increased in years to come. With this increase in the number of judicial officers I think work can be better expedited and more speedily done than at present. When there will be enough money, we can appoint some more officers to the cadre of that department. The separation of the Women's Medical School, Agra, can also stand over for some time to come. When the male and female students are being taught for such a long time in that very school there is no reason to think why, in the face of financial stringency, there should be this separation, which means additional expenditure. Some of the buildings, I do not mean to say that all the buildings, but some of them, may be taken in hand later on. There is no necessity, when we have not got enough money to spare for them, to take every one of them in hand in the next year.

The Hon'ble the Finance Member has been pleased to set apart about four lakhs for the separation of judicial and executive services and for the constitution of the Chief Court for Oudh. Well, I am not in the know, but from what I can see I think none of these schemes will be taken in hand in the next year. It will take at least more than a year for the completion of those two schemes. I, therefore, think that it is not necessary to take account of them in the coming year.

I now come to the Police. In this connection I have to say that it is the most favourite department of the Government. I say this from my own knowledge and from the treatment of the recommendations regarding it which they have received at the hands of the Government.

The Economy Committee recommended certain reductions in the posts of Provincial services and, if I remember aright, some posts in the Imperial services also. But in the face of these recommendations the Government have been pleased to create seven substantive posts of Deputy Superintendents—four posts of Superintendents and Assistant Superintendents.

The Deputy President: The honourable member has exceeded his time and should bring his speech to a close.

Thakur Hanuman Singh: Two or three minutes more and I will bring my speech to a close.

Village police.—Under this sub-head there is a reduction, but the reduction should have been much more than it is. There is a consensus of opinion that village police in course of time must be abolished. To this the Economy Committee has given the weight of its support. Under these circumstances there ought to have been a heavier reduction. The

Circle Inspectors are also considered to be reducible in number, but the reduction in that cadre is very small or practically nil.

Now I come, Sir, to the Transferred departments. Education is a very wide word. In it are included university education, secondary education, and primary education. Primary education, as one of my honourable friends on the *swarjast* benches has complained, is suffering badly. But there are other forms of education also—agricultural education, industrial education, medical and sanitary education—to which the Government should also pay attention. The country cannot develop and rise, with mental education only. Unless we are happy, unless we have enough to eat, and unless we have enough to spend on education, and have means to increase our income, we cannot receive the education which Government so profusely offers. First we must be strong and then think of rising. As the time is very short, I cut short my speech to offer my further remarks when the different demands will come up for discussion.

The Hon'ble the Finance Member has said that the allotment for the Transferred departments has risen from 110 lakhs to 173 lakhs but I think he has not taken into consideration the vast population of this province. If he had, then he would have come to the conclusion that this allotment is too small to meet the needs of the provinces.

The Deputy President: The honourable member is again reminded that he has exceeded his time.

Thakur Hanuman Singh: With your permission, Sir, I will only say a word or two more and then close.

I come to the abolition of districts. I think the Government should not take into any favourable consideration this proposal of the Economy Committee. It is a proposal which will adversely affect the residents of those districts whose death-knell has been rung by the said Committee. I represent unfortunately a constituency—I mean Ballia constituency, which district has also been proposed for abolition. There is already an agitation over it, and I think the agitation will become keener when the question of abolition of districts will come up before this Council, and I think the minds of the people of Ballia and of many other doomed districts are very much agitated. I think my honourable friend the member for the Allahabad University will bear me out when I say this. With these words I conclude my speech.

Lala Mathura Prasad Mehrotra: If it is the convention of this honourable House to congratulate the Hon'ble the Finance Member and his worthy lieutenant—I mean the Financial Secretary—always on the presentation of the budget—whether there is any deficit or surplus, whether there is new taxation or no taxation—I, as a new member, do not want to stand in the way of this established practice. But, Sir, I wish to thank them very cordially for bringing this laborious financial statement of the whole year into four or five cumbrous volumes, which is not an easy task. I have no desire to repeat the points which have been so ably brought forward by the honourable members yesterday and today in their masterly criticisms, but I wish to confine myself to a few of my own observations. As I proceed into the labyrinth of the budget I find it is disappointing. The actual deficit, though tactfully shown as a surplus, has reached to the huge figure of 1 crore, 29 lakhs and 61 thousands. I

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admit that the Hon'ble the Finance Member has made reductions in the budget of 1923-24 of about 73½ lakhs and in the budget for 1924-25 of about 50 lakhs against the increases of the expenditure of 70 lakhs. And he says in his budget of 1924-25, page 6 :—" We have already made most drastic reductions, though even before these were effected our standard of expenditure was, with one exception, the lowest in India." He further says :—" If further reductions have to be made it is on the Transferred departments that they will mainly fall. That is inevitable both because the bulk of the 27 lakhs is on account of these departments and because new charges entered on the reserved side are mostly unavoidable. But, Sir, it is of course surprising to find that the huge figure of Rs. 5,28,000, besides some discrepancies, as were pointed out by honourable members yesterday, which is meant for preliminary settlement operations, has escaped his notice after such drastic cuts. We have been repeatedly given assurances by the heads of the Local as well as the Central Governments that the question of settlement will be considered very sympathetically and in spite of the fact that the Labour Government has come into power and is fully carrying out the recommendations of the Government of India as we have lately seen; the preliminary operations are not to be postponed for a year or so. The new taxes are to be imposed with that purpose. It is naturally disappointing to us to find that the assurances of the Government are mere assurances and nothing practical is to be done in the immediate future.

The second defect in the budget, to my mind, is that no careful attention has been paid to the nation-building departments of Education, Sanitation, Agriculture, and Industries. In Education and Sanitation we stand at the bottom in comparison with the sister provinces. Whatever attention has been paid is towards secondary and university education at the expense of primary education. The masses are to be left in the darkness of illiteracy as they were. In the budget of 1923-24 Rs. 72,22,000 were granted for primary education, but in the budget of 1924-25 we find Rs. 70,55,000 only. This shows that we are going backward as regards primary education. On the other hand, not a single laudable scheme for the development of industries, which are conspicuous by their absence in these provinces, has been launched in the budget. What a pity it is that the Agricultural department, which is the mainstay of this province, is neglected for the sake of other unnecessary expenses which have been left untouched in the Police, Irrigation, and Forest departments?

The court fees, the general stamp, and motor taxes were passed by the last Council on the definite assurance that they are meant for one year only. I do not know with what face the Government is asking us to renew them in addition to a new tax on entertainments. As regards this matter, I wish the Hon'ble the Finance Member would postpone its consideration till the decision of the assembly on the provincial contributions. Unless the contribution of 2,40 lakhs is greatly reduced, we have no prospect of a surplus. Taxation cannot bring any relief in the budget and we may go on taxing and taxing the already overtaxed people—whether they are rich or poor.

[The Council here adjourned for lunch.]

After the adjournment—

Mr. Muhammad Aslam Saifi : To begin with, I extend my congratulations to the Hon'ble the Finance Member for giving us a lucid exposition of the budget estimates. I also thank him for having performed a really difficult task which he has made light with a light-heartedness which is so characteristic of him. I also thank him for having effected economies on his own initiative and for also having applied the pruning knife of retrenchment wherever he could.

I now proceed to a discussion of the budget, but before I do so I would just like to detain the House for half a second to say that I myself wanted to put in a complaint before the Hon'ble the Finance Member with regard to the shortness of the interval between the presentation of the budget and the general discussion, but I find that I have been anticipated by my honourable friend Maulvi Fasih-ud-din and another gentleman. Last year it was my friend Rai Bahadur Lala Sita Ram who had to complain on this account and he was re-assured, I find, by Mr. Blunt, the Financial Secretary, who told him that he would act the part of bicarbonate of soda in order to help his digestion. My friend is a veteran member of this Council and I am very glad to find that his digestion has improved so that he did not have to make any complaint this year. But so far as we, new members, are concerned, I would request Mr. Blunt not to play the part of bicarbonate of soda towards us but to act the part of a chocolate in order to make the budget a little more attractive and intelligible to us.

From the budget I find that it is made out to be a surplus budget with a surplus of revenue of Rs. 12,19,000 over the expenditure and it is further explained that this expenditure is lower by Rs. 50,28,000 as compared with the estimates of last year and as compared with the revised estimate is lower by Rs. 14,47,000. Well, so far as this surplus question is concerned, I only wish to remark, and I hope this remark of mine will be fully understood by the honourable members of this House; in the words of a famous poet I would say—

“Ham ko malum hai Jannat ki haqiqat lekin,

Dil ke bahlane ko Ghalib yih khayal achchha hai.”

It is made out to be a surplus budget, but later on I find that there is a deficit of a crore and 29 lakhs in the revenue account and as far as I have been able to make out I find that an equal amount has been transferred from the Development Loan Account to make up this deficiency. So after all we are living on borrowed money. I find that this is the usual practice of the seemingly rich people; whenever they take a fancy to a certain thing they go in for it regardless of cost or consequences. Whenever their friends protest against this sort of thing they are told “we have got enormous resources against which we can always borrow.” Of course they can. In their case it is a personal question, but in the case of the prosperity and welfare of the State it is a different thing altogether. We go through these formalities; there is the preparation of the budget; there is its presentation, the general discussion, then a dissection of it and eventually a resuscitation of it. Then we find that we are on the high road to make all sorts of reforms and improvements in our administration, education, sanitation, irrigation, and all sorts of other services. But what do we find? We are told that according to the Devolution Rules we have to provide a sum of Rs. 39,60,000 annually for famine insurance. I think this insurance is perfectly right because famines

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are in the nasty habit of paying unwelcome and irregular visits to our provinces. But I quite agree with the Hon'ble the Finance Member when he said that to lock up these vast sums for insurance business is not sound on economic principles. Whenever a famine arises, we can certainly borrow from the Government of India for the purpose, and meanwhile we can utilize these large sums for very important improvements that are hanging fire until we get necessary funds.

Then, Sir, there is the question of fresh taxation, which practically amounts to Rs. 27 lakhs, and it is stated that if this taxation is not sanctioned by the Council it will affect the Transferred departments, because the Hon'ble the Finance Member thinks that he has practically exhausted the limit of retrenchment so far as the Reserved departments are concerned. I regret I do not agree with him there. There is still a great deal of room for retrenchment. If we take the recommendations of the Economy Committee as the minimum, I think a good deal of retrenchment could still be effected. But we are required to sanction these Rs. 27 lakhs according to these new taxation measures which are to be considered later on by the Council. On the other hand, we have to face a contribution of Rs. 240 lakhs that we have to make to the Government of India annually. I think it is the most unwelcome item that we are called upon to pay, and though I have very little hope of its being reduced in the near future, still I will request the House to make its wishes known in unequivocal and emphatic terms that we should certainly like not only a small but a gradual reduction of this contribution.

I want to say a few words about the education of the masses. I know that university education and secondary education are quite all right. But it is with regard to the education of the masses that we do not provide enough funds. It is their ignorance which leads to numerous and constant troubles. It is there that we have to spend more money. We have got a very large number of highly-educated people who understand their duties and rights. But what about the poor people who number millions and who have very little to distinguish them from the still lower strata of animal world? It is our duty as human beings—and I think it is our imperative, primary, and immediate duty—to see that primary education is extended as early as possible. I quite understand the difficulties that lie in the way of the Government. In this connection I should also like to say a word about the special Muslim education. My honourable friends Mr. Hidayat Husain and Maulvi Abdul Hakim have also referred to this question. Everyone in this House will recognize that my unfortunate community is deplorably backward in education and therefore on questions of broad policy I would press this point. It is not in any communal spirit that I am pressing this point before the House. I understand from the Economy Committee report that some reductions are to be made with regard to this special education, e. g., the reduction of the post of some deputy inspectors and so forth. As for my own district there used to be a Maktab Committee which has been abolished. Instead of these special Muslim schools multiplying and making up the deficiency I think they are getting conspicuous by their absence. Their number is going down and I do not know whether the policy of Sir James Meston which was probably announced in 1914 has ever been given full application.

In regard to Agriculture I just want to say a word. I quite appreciate the utility of this department. I know it is doing a good deal. But most of its work is confined to an experimental stage. I see very little,—though I cannot claim that I have gone out of my way throughout the province to see what it is doing,—but in my own district I can say there is very little agricultural improvement in evidence with regard either to advanced methods of irrigation or for example in the matter of tube wells, or in implements, improved ploughs or various other things connected with this department. I can say without fear of contradiction that my district both as regards cultivated area and land revenue is the top district in the whole of the province. Yet (I can speak from personal knowledge—I have visited all the tahsils in my district, most of the country places.) I never saw any improvement in agriculture which is due to this department. Perhaps its activities are to be seen in other parts of the province.

With regard to the Industries department I know that the crying need of the province is technical education and more technical education. It is all very well for people to go in for higher education and to qualify themselves for learned professions. But the prosperity of the country entirely depends upon the success of its industries. I find that there are many industries which could be developed through the medium of this department. But, so far as I could see, some of the industries are simply wiped off for want of financial help, or, for the matter of that, scientific help. I know a small factory was started at Meerut for the manufacture of good buttons. I saw these buttons myself. Before I came here I made inquiries and found that the firm had gone out of existence simply because it could not get enough financial help. There was an industry of knife manufacture in a village near Meerut. There was also an industry of making glass bangles. I saw these industries ten years before in a flourishing condition; today they are simply non-existent. Of course I refer entirely to the cottage industry which is sadly in need not only of assistance and encouragement but of practical help and scientific treatment by this department, which I consider to be an essential department in our Government.

I will now add a word about Improvement Trusts. I find that something has already been said about this question by some honourable members of this House. The general complaint about these Improvement Trusts is that they are much too expensive. I will make a suggestion for what it is worth. I think it might be possible to amalgamate the Improvement Trusts with the municipal boards and thus effect a great deal of economy. Instead of having a separate department altogether run on such an expensive scale—especially when the chairman of the Trust has got to be paid such a high salary, and there are Engineers and other highly-paid officials—it would be much better to amalgamate this department with the municipal boards, and the Government could nominate certain members who would represent either the people's interests or their own.

The Deputy President: The honourable member must conclude his speech now.

Mr. Muhammad Aslam Saifi: With regard to the General Administration I would say a few words. I remember that some of my honourable friends who occupy the opposition benches said something about

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the Police department and one gentleman wanted to make a clean sweep of it, saying that this department is not doing anything at all. Of course I find that the police does not inspire the confidence in the public that it ought to. Good people are always afraid of the visits of any police officer—from a constable right up to the Inspector-General of Police, who of course I know has nothing to do in the way of calls upon the ordinary members of the public. But if we entirely do away with the police, we shall simply be encouraging dacoits to make their fortune much more quickly. So we must, I think, improve the administration of police as much as we can. In this connection I would also say a word about the improvement of district administration. We find now that despotic monarchies are giving place to constitutional monarchies; aristocracies are giving place to democracies. I know some good District Magistrates also, but usually they are aristocrats. Therefore I think it will be right if the Government took seriously into consideration the resolution which was passed by this Council about appointing district advisory councils to help the district officers. With these few words I conclude my speech.

Pandit Sri Krishna Dutt Paliwal asked the permission of the Deputy President to speak in vernacular, as he said that he was not fluent in English.

The Deputy President: It is a question that we have decided once for all.

Pandit Sri Krishna Dutt Paliwal: What is that?

The Deputy President: That those who are fluent in English must address the Council in English.

Pandit Sri Krishna Dutt Paliwal: You may take it upon my word that, although I am a graduate, I am not fluent in English.

The Deputy President: I think the honourable member is fluent in English.

Pandit Govind Ballabh Pant: May I rise to a point of order. If a member assures that he cannot speak fluently in English, is not his assurance sufficient?

The Deputy President: I find that the honourable member is an M.A. and therefore I take it that he is fluent in English. Graduates of universities are expected to be fluent in English.

Mr. A. H. Mackenzie: I rise to answer some of the criticisms which have been addressed to the Education department. I shall deal only with the main criticisms, as there will be an opportunity next week for detailed discussion. I shall take the points in the order in which they were made by the various speakers, as that is the order in which I made my notes.

I first refer to the speech of Hafiz Hidayat Husain. He is, I see, not here today, but he made some important observations in regard to Muhammadan education which call for a reply. The same points were made by subsequent speakers, including the last speaker, and I think the House expects some answer to them from the Education department. Some apprehension has been expressed that the Education department is tending to go back on the policy laid down by the Government of Sir

James Meston—the policy of giving special encouragement to Muhammadan primary institutions. My first reply to that criticism is to invite the attention of honourable members to the reports issued during the last two years by the Education department. They will find that the Government have contributed to local bodies during the past five years no less a sum than Rs. 2,40,000 recurring for the encouragement of these special institutions. They will further find that as a result of this special encouragement the number of Islamia schools increased in the five years ending March, 1922, from 90 to no less than 745, and in the same period the number of aided makhtabs increased from 290 to over 700. During the current year additional funds have been provided for giving effect to this policy. The Government have given boards additional funds for increasing the pay of teachers in makhtabs. They have also as an experimental measure provided certain boards with the whole of the funds required for employing supervisors of makhtabs. With these figures before the House, I do not think that anyone here can say that the Government are going back on the policy which was laid down by the Government of Sir James Meston. Nonetheless, I think that the uneasiness which has been expressed is not unreasonable. There was a proposal made to the Economy Committee—a proposal for which I take full responsibility. It was to the effect that the posts of deputy inspectors of Muhammadan schools should be abolished. I knew that in making that proposal I was running a certain risk; that my Muhammadan friends would perhaps misunderstand my object in making it; but I trusted that what I said before in this House and what I shall repeat was accepted as my honest view, and it is this: that I believe that it is in the best interests of this province as a whole that special encouragement should be given to furthering the primary education of a community which is backward in education and yet possesses qualities which, if developed by education, will be of the greatest value to the State; that it is to the interest of education generally that Islamic traditions and ideals should be preserved in this country. I hope therefore that my Muhammadan friends will not see in the suggestion which I made to the Economy Committee any antipathy to the policy laid down by Sir James Meston's Government. Nor did I make that suggestion, as a speaker remarked, on the ground that these deputy inspectors are inefficient. I think it is due to them to say that amongst them are some of the most efficient executive officers of this department. I made the suggestion because it was my personal view that money spent in providing for a sort of roving commission of inspectors without definite powers and responsibilities could be utilized to the advancement of primary education among Muhammadans more usefully in other directions. That was my personal view. But the Government has looked into the matter from every point of view, and it is needless to say that, whatever may be the decision of the Government in this matter, I shall most loyally carry it out.

I now turn to the speech of Rai Bahadur Lala Sita Ram. His references to education were brief, but when he made them it was my turn to be somewhat apprehensive. The advice he gave the Council was that in the matter of grants to Intermediate Colleges it should go slowly. Now, these Intermediate Colleges have grown up as a result of the policy laid down by the Legislative Council. I have not time to give

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an elaborate description of that policy but, briefly, it is that the standard of secondary education in this country should be raised by two years in order to make it comparable with the standard of secondary education in Western countries. That is the policy embodied in the Intermediate Education Act. Rai Bahadur Lala Sita Ram was never enthusiastic about it. But he did not dissent from it. He acquiesced in it and the Act was passed.

Rai Bahadur Lala Sita Ram: The Director of Public Instruction will remember that I moved an amendment to the Intermediate Education Bill when it was before the Legislative Council that the course of the Intermediate classes should be altogether eleven years and not twelve and that three years should be the university course, and my proposal yesterday was exactly in consonance with that policy.

Mr. A. H. Mackenzie: I think I am right in saying that the honourable member did not press his amendment to a division.

Rai Bahadur Lala Sita Ram: I did, but it was unfortunately defeated.

Mr. A. H. Mackenzie: At any rate I am right in saying that the honourable member did not vote against the Bill when it was put to the House.

Rai Bahadur Lala Sita Ram: You are right.

Mr. A. H. Mackenzie: I am grateful for that admission. The position therefore is this, that here is a gentleman who acquiesced in a Bill passed by this House. He knows as well as anyone else does that if effect is to be given to the Act there must be a certain minimum expenditure and I would put to him and other members of the House that it is not fair, now that the Bill has been passed, to deny to institutions that have trusted the House, that have taken the House at its word that the Bill embodied its deliberate policy, the necessary means for making the Council's policy effective. Nor is it fair to refuse to the Education department the means of making those institutions efficient and then blame the department for their inefficiency. I would submit that the fair course, the straightforward course—I do not use the word in any offensive sense as the Rai Bahadur well knows—is that if anyone is not satisfied with the Act he should come forward with an amendment. We shall then have the matter out and know where we are.

Rai Bahadur Lala Sita Ram: I did suggest yesterday that perhaps Dr. Zia-ud-din Ahmad may do it.

Mr. A. H. Mackenzie: What I suggest to the honourable member is that either he must accept the Act as it is or he must be prepared to put forward an amendment. In the meantime our Intermediate Colleges must be carried on.

Now I turn to Mr. David. He has criticized the Government for the multiplication of universities. He has pointed out that there are no less than four universities in these provinces and that there may possibly be a fifth. I come from a country which has for the last 300 years had four universities, and in that country there are less than six

million inhabitants. So when the honourable member tells us that in our province with 46 million inhabitants there may be five universities, I do not feel appalled.

Mr. Mukandi Lal: But he wants more money for his own Christian Colleges.

Mr. A. H. Mackenzie: Nor do I think he stated the facts altogether correctly. Two of these universities have been established through the self-sacrifice of the communities which have built them up. I refer to the Aligarh Muslim University and the Benares Hindu University. Apart from a grant which the Local Government continues to the M. A.-O. College and a small grant which it gives for the training of the teachers to the Hindu University, these colleges are supported by private subscriptions and by funds from central revenues. The only university recently established by Government in these provinces is the Lucknow University. As regards the Agra University, if a Bill is put before this Council at the same time a statement of the cost, recurring and non-recurring, will be submitted and it will then be for the Council to say whether in the face of the cost involved it will be prepared to proceed with the measure. I think that Dr. Shafa'at Ahmad Khan was on much sounder ground when he said that there was a fear that on account of the increase in the number of universities there would be a deterioration of standards on account of competition. That is the fear which I must frankly say I share. But the Government of India and the Local Government are considering possible remedies.

The Local Government have already decided to appoint a committee which will make suggestions for the co-ordination of the work of the Allahabad and Lucknow Universities. The Government of India are summoning a conference on which there will be representatives of all universities in India. This conference will, amongst other things, consider the important question of standards. Turning to the work of Intermediate Colleges, Dr. Shafa'at Ahmad Khan said that, from his experience as one who had inspected these colleges, he was favourably impressed by their work. I recall that statement as I should like the House to take note of it. He was less happy in his reference to primary education. He made the astonishing statement that this province had no constructive policy in regard to primary education. If anyone wishes information in regard to this matter, I would refer him to the last quinquennial review of the Education department where he will find a full statement given of the constructive policy of the Education department in the matter of primary education. As regards the results of that policy it will be seen that in some districts, for example Hardoi and Meerut, the increase in enrolment in five years was over 50 per cent. In some others it was over 40 per cent. and the average for the province was over 21 per cent. I think that these results were encouraging; but I agree with the honourable member for the Naini Tal district when he says that there is another side to the picture. There is the great mass of children who are outside the schools. As long as we have a large number of children who are not receiving any education, we cannot regard the position in regard to primary education as satisfactory. As to what the possible remedies should be and what the line of advance should be, I think that these are matters which can wait until we have our discussion next week.

[Mr. A. H. Mackenzie.]

[At this stage the Hon'ble the President resumed the Chair.]

There is one other point in Dr. Shafa'at Ahmad Khan's speech to which I should like to refer. He read to the House the two rules in regard to District Board Muhammadan Education Committees, the old rule and the present rule as published for objection. The difference between the two is due to the fact that the old rule would be inconsistent with the District Board Act. If any member, who is interested in these committees, can amend the rule which has been issued by the Local Government for objection and still keep the rule within the four corners of the Act, his suggestions will be very carefully considered.

Now I turn to the speech of the honourable member for the Allahabad University. I have slept on that speech and therefore I can reply quite dispassionately. I shall extract from it only some of the main points and leave the House to judge from these of the value of the speech as a serious contribution to our discussion. The honourable member started off with an attack on the late Minister for Education, the Hon'ble Mr. Chintamani. I think I am in a better position than any other member of this House to testify regarding the work of the late Hon'ble Minister as I worked in the closest association with him for two years; and I can say that his work was of the greatest value for the expansion and improvement of education in these provinces. But it is hardly necessary for me to give that testimony; honourable members have only to refer to the proceedings of this House to judge of his work for themselves. But while I hold this opinion of the late Hon'ble Minister's work, I cannot in the interests of truth give him the credit for initiating the recent reforms in university and secondary education. The credit for initiating these reforms belongs to a great educationist, Sir Harcourt Butler, assisted by Sir Claude de la Fosse to whom the honourable member for the University paid a well deserved tribute. The present policy in education at the time it was initiated was endorsed by educationists in these provinces almost without exception. To do him justice I think the honourable member for the Allahabad University was one of the exceptions. Experience has shown where modifications are necessary—considerable modifications—but I think I am right in saying that responsible educational opinion in these provinces still endorses the fundamental principles of our present policy.

The honourable member for the University went on to criticize the expenditure of the Allahabad University and as an example he quoted the case of the Professor of Philosophy. He referred to his pay, to his fitness for the post which he holds and to the manner in which he was appointed to that post. As regards his pay the University is not responsible. He is an officer of the Education department lent to the University. He is one of the most senior officers of the department. He therefore draws the highest pay in the ordinary time-scale of pay and in addition a selection grade which he has earned by services of the greatest value to education in these provinces rendered in the various positions which he has occupied. The University pays what this professor draws as a Government officer. As regards his fitness for the post which he holds the honourable member seems to assume that because this gentleman is an officer with very high administrative gifts—as every

one who knows him would say is true—he is thereby unfit to be a professor of Philosophy.

Dr. Ganesh Prasad : I never said that he was unfit to be Professor of Philosophy. What I said was that he was likely to be a better administrator than Professor of Philosophy and he ought to have been brought on the administrative side. I never used the word “unfit.”

The Hon'ble the President : I am sorry I was not present when what appears to have been personal attack was made, but at any rate I cannot allow the discussion to be side-tracked on a purely personal issue. It is a very much wider question that is before us.

Mr. A. H. Mackenzie : If you will permit me, Sir, I shall conclude what I have to say on this point. I wish in fairness to this officer to say that as a matter of fact he does possess qualifications in philosophy which would fit him to occupy the chair of philosophy in any University, and that he has made original contributions to journals of the very highest standing in the world of philosophy. As regards his appointment, it was made by the Vice-Chancellor of the University and confirmed by the Government.

Another statement made by the honourable member for the Allahabad University was that the Board of High School and Intermediate Education has made regular attempts to lower standards. We have had the opinion of two doctors in regard to these Intermediate Colleges. We have the opinion of Dr. Shafa'at Ahmad Khan, who said that he personally inspected these colleges. We have the opinion of Dr. Ganesh Prasad who admitted that he was speaking without any personal knowledge. I leave it to the House to choose between these two opinions. Then he turned to criticize the cost of the Board of High School and Intermediate Education. That Board, as a matter of fact, is one of the very few revenue producing departments we have included in the Education department. Its total expenditure is more than covered by its income and the local Government is making a small profit out of it.

I turn next to the criticisms of Mr. Abdul Hakim.

Dr. Ganesh Prasad : I wish to crave your indulgence Sir, to make a personal explanation. I never said that I was attacking the establishment of the Board of High School and Intermediate Education. I have my speech before me in which I pointed out a particular item, that a sum had been budgeted for on account of the cost of conducting certain examinations, and I pointed out that that sum was monstrous. I said nothing of the cost of establishment of the Board.

Mr. A. H. Mackenzie : I shall be brief, Sir, in regard to the remaining speeches. Mr. Abdul Hakim and some other members of the House referred to the expenditure on primary education as being inadequate. Now the facts are that the expenditure by Government on primary education has within five years risen from 23 lakhs to 63 lakhs, that is to say it has increased by 148 per cent. Now I may inform the House, if they do not already know, that I am not diffident in approaching the Finance department for funds for education, and I dare say I could get, at any time, a certificate from the Financial Secretary to that effect. But I have what is called a presbyterian conscience, and I am

[Mr. A. H. Mackenzie.]

not prepared to say that the Education department needs more than what is now provided in the budget for primary education until I am convinced that we are utilizing that sum to full advantage. The immediate problem before the Education department is to see that the money the Council has already allotted for primary education is giving the utmost return possible.

The other matters raised by honourable members may perhaps stand over until the detailed discussion on the budget as I fear I have already exceeded my time. I wish to conclude with this remark, that although I listened as attentively as I could to the speeches of honourable members, I am afraid that on occasions my mind wandered. But whatever they said will be read by me when the proceedings come to be published. I shall then be able to ascertain those things that the department has done which it ought not to have done and those things which it left undone which it ought to have done. After I have read the speeches of the honourable members and pondered over them, I shall do everything in my power to meet their wishes as far as they are consistent with sound educational principles and as far as funds are available.

The Hon'ble Rai Rajeshwar Bali : I will not take up the time of the House in replying to all the criticisms that have been levelled against the various departments which come under my charge. Most of them have been met by my honourable friend the Director of Public Instruction. Besides that, we shall have ample opportunities to discuss these questions when the demands are moved next week. I shall confine myself to a few general observations.

I feel happy that, so far as the criticisms on my department are concerned, no honourable member has proposed any cuts in them. Rather, the feeling is that we should have more expansion in them. We all are one in the feeling that primary education, rural sanitation and the medical relief should be extended. We all are one in the feeling that illiteracy should be banished, that the quality of the men whom we turn out from our schools and colleges should be such that they may be better qualified to take their share in the life of the country and better equipped to carry on the arts of peace and war, as was stated by Milton to be the aim of a sound education. We all are one that the appalling death rate should be brought down, that the scourge of epidemics should be controlled, that people may be stronger and healthier. So far as our goals are concerned, we are all one. The criticisms have been levelled against certain methods of our work. With regard to them I may make my position clear. I must confess—and I am not ashamed in confessing it—that I do not possess the versatile knowledge, or the force of logic and oratory, the intellectual acumen, or the sober experience of my distinguished predecessors. But I may claim, if it is not egotistical to say so, that I may not be found lagging behind any one so far as earnestness of purpose and enthusiasm for service are concerned. I have my faith in action and I shall try to justify that by action. I hope I will have the support of my honourable friends here in carrying out the policies of reform for which I am as eager as they are. I wish to make one or two more points. In dealing with large questions of policy we have to remember that we have our own responsibilities. Large questions of policy cannot be changed every day. A false or a hasty step may mean, besides an enormous loss

of public money, the ruin of the interests of a whole generation. But I must assure you that any suggestions that have been made here yesterday and today will be considered fully, and I shall avail myself of every opportunity to discuss them with my friends here. I shall always have an open mind. If I am convinced, I shall not be remiss in admitting my mistakes nor be led away by departmental dogmatism. But I expect the same from my honourable friends opposite. Let them convince or be convinced. If that is done, I have no fear. With regard to the particular questions that have arisen regarding other departments, I mean leaving aside the Education department, I think at this late hour I may not go into them. They can be well discussed when the budgets of those departments are being presented.

Dr. Jaikaran Nath Misra : I did not intend to take any part in the general discussion of the budget, but I see that, although various honourable members of the House have spoken, there is perhaps one aspect of the budget which has not been brought before this House—an aspect to which at least members on this side of the House are wedded. That aspect I may at once say is the constitutional aspect, from which I look at the budget. The Swaraj party has been constantly advocating that it is entirely dissatisfied with the system of dyarchy which prevails with the present Government. Being so dissatisfied, it is not looking at the budget from the point of view of any particular item or any particular department, but as a whole. I feel convinced, and I think the party to which I belong also feels convinced, that, so long as the entire financial control does not pass to this House, it is no use criticizing the various items of the budget. In order therefore that we might express our dissatisfaction of the system of dyarchy we oppose the budget as a whole, not looking at any particular item or considering whether so much money ought to be given to any particular department or taken out of a particular department, but from the point of view of a constitutional aspect which has always prevailed in Parliamentary countries, namely, when you do not agree with the system of Government or with the policy which is being followed by that particular Government, you do not vote the budget. That is really the point of view from which the Swaraj party looks at the budget which has been presented by the Hon'ble the Finance Member.

I join with all the non-official members of this House in congratulating the Hon'ble the Finance Member for the ability and lucidity with which he has presented the budget. But I do not agree with the budget as a whole coming from a dyarchical Government. It is only a portion of it that we can really attack in any sense of the term, namely the transferred side. On the reserved part it is useless for us to vote or not to vote. Even as regards the transferred side, His Excellency the Governor has full power to veto any resolution of the Council. That being so, my protest against the budget is on a constitutional point, and I think members on this side of the House will agree with me that this is the aspect from which we look at it. We find in the first place that there is a colossal expenditure that the finances of this provinces cannot possibly bear. Now, when we come to think how we can cut down that expenditure, we immediately come down to the constitutional aspect again, because we find that the Imperial Services are a tremendous burden on our budget, and it will be immediately pointed out to us that as far as this provincial Government is concerned, it cannot do anything—

[Dr. Jaikaran Nath Misra.]

it lies with the Government of India or possibly with the Secretary of State. And that is exactly the reason why we do not propose to tackle any particular item or a particular department. We easily see that the best way to get rid of this expenditure would be to Indianize those services and that can be only achieved when we get Swaraj. There is one aspect of the budget to which I would like to refer, and that is taxation. I am not one of those who is opposed to taxation qua taxation. It is impossible to carry on any Government and to effect any improvement without taxation, which will be necessary as expenditure goes on. But one certainly has to see what are the principles on which one ought to act in regard to taxation. One ought, firstly, to see whether taxation is absolutely necessary and that without taxation the expenditure cannot be met and the Government cannot be carried on. One has then to see what is the incidence of taxation or on whom the burden of taxation falls. Taking two of these taxation Acts which will be put forward tomorrow, the Court Fees and Stamp Acts, I should like to say that no less a jurist than Bentham pointed out that justice should not be taxed. If you come to think of this taxation on court fees and stamps, you will find that the incidence of taxation does fall on the poor litigants who seek justice. Therefore unless a case can be made out that without taxing justice, expenditure cannot be met or without effecting economies in other directions, expenditure cannot be met, I would respectfully submit that these two taxes should not be voted. The Hon'ble Minister for Education has assured this House that he is going to do all he can to see that as much money as possible is given to education. I beg your pardon, I think it was the Director of Public Instruction who said so. But I do not see how the supplies proposed in the budget will at all meet the requisites of primary education in this province. Greater attention ought to be directed towards it and I submit that a larger amount of money ought to be provided for it. These again, as I said, are minor points which do suggest themselves to one; another is the Improvement Trusts, which, as various honourable members of this House have pointed out, are unnecessary. At least in Lucknow there is an honorary chairman and I do not see why Allahabad and Cawnpore should not also have honorary chairmen, and I think the work of the Improvement Trusts will not suffer if they have honorary chairmen. But apart from that I think these Improvement Trusts are an extravagance; the amount of work they do is not at all compatible with the amount of money that they spend. Nor do we see that they are working honestly and properly having regard to the welfare of the people and the welfare of the place. Under these circumstances I think Government ought to be very chary in proposing any grant to the Improvement Trusts. They are useless bodies and ought to be done away with. Therefore, briefly, Sir, I would reiterate once more the point of view from which I look at the budget.

The Hon'ble the President: I cannot allow the honourable member to reiterate further. The honourable member in his opening remarks said that he was going to make a general protest. I understood that he was not going to commit himself to any detailed criticism, though later he did commit himself regarding the Court Fees Act, the Stamp Act and the Improvement Trusts. It is perfectly true, of course, that in discussing any matter connected with the budget you may appeal to certain principles contained in the budget. Every page of the budget

contains some principle. It is a simple mathematical principle that 2 and 2 make 4, which is an assumption made throughout the budget. Now if a mathematician were elected to this Council—I mean an erratic mathematician—and he started proving that 2 and 2 make 5, he might say that this is one of the principles concerned with the budget, consequently he would be entitled to discuss it. The principles in the budget presuppose the Government of India Act, and it must be discussed without raising again principles underlying that Act. If there is a protest against the Government of India Act, this is not the time to make it. The honourable member should now devote himself to criticizing details of the budget. This being his maiden speech, we were anxious to hear him, and I permitted the original protest to go through, but now that he is proceeding to criticize the details I cannot allow any reiteration of his general protest against the Government of India Act.

Dr. Jaikaran Nath Misra: Regarding details, I have just pointed out a few of them. No doubt greater scrutiny will reveal a large number of other items, but that I would leave to the discretion of other honourable members to discuss.

Mr. E. A. H. Blunt: As usual, the minor points of this discussion are left to me. The main principles are left to the Hon'ble Finance Member—thank goodness! I think, Sir, you will agree with me that there is a certain family resemblance between this debate and the debate that took place in 1921 on a similar occasion. Then, as now, most of the members were new to that fearful wildfowl, a budget. They were floating on a troubled sea of figures and, like people who float on troubled seas, they began to suffer from a sort of mental nausea. This affected them in various ways. Some were attacked by financial delirium; they began to see things in the budget that were not there. Others' eyes were affected; they could not see things in the budget that were there. I will give an instance or two of this. First of all, my good friend the honourable member for Meerut said that he saw a saving of a lakh; but it was not there. He there made a small mistake between plus and minus—a mistake which people often make. The saving was there undoubtedly: I'd made it myself. But because my saving was there, his was not. However his mistake was perfectly natural. It was due to the printer who had been more than usually devilish. It misled him; in the first place it misled me.

Then there is Mr. David. He and also the honourable Pandit who has just spoken, have fallen into the same little trap. Both of them want to reduce the pay of the officers of the Improvement Trusts. I am not concerned to defend the Improvement Trusts, or the officers, or their pay. But the point is that the amount cannot be reduced in connection with the budget. The pay of the officers is not there, and never has been. All that is in the budget is a small amount of Rs. 4 lakhs that will, if absolutely required, be given to the Improvement Trusts to finish their schemes with. That sum will be necessary whether the chairman, and the executive officer and the rest of the staff are honorary or paid. The schemes will have to be carried out in any case. Then, to give instances of gentlemen who did not see things in the budget that were actually there, many honourable members complained that there was no money in the budget for rural areas. Well, Sir, how about irrigation?

[Mr. E. A. H. Blunt.]

how about agriculture? what of expenditure against the famine insurance funds? All these are meant for rural areas. Then again a large part of the land revenue demand is spent in rural areas. Then there is a big figure for grants to district boards—Rs. 65 lakhs for education, Rs. 5 lakhs under civil works. There are various other small items scattered about under Public Health and Medical. Then there is about Rs. 30 lakhs for repairs—roads which are almost entirely rural. Consequently, I do not think it is fair to say that rural areas have been neglected.

Another member said that there is no money in the budget for either maternity or child welfare. As a matter of fact, there is a sum of Rs. 80,000; Rs. 64,000 of this is for the Dufferin fund which as every body knows deals mainly with maternity cases, and Rs. 16,000 is for the United Provinces branch of the Lady Chelmsford League, which is concerned, I am told, with child welfare. Besides that, there is also a lady doctor who gives practically all her time to child welfare work. I quite admit that the honourable member might easily make a mistake here, because the words "maternity" and "child welfare" are not actually there: but the money for both is there.

Several members complained that they had had no time to examine and study the budget. Well, Sir, in the late Council they made the same statement the first time a budget was presented, but they did not make it the second time, and found that seven days were quite enough. They got used to the budget; and I have no doubt that this Council will get used to it too. I admit, Sir, that the budget is an awful thing. It is an awful thing to prepare; it is more awful to explain: and it is most awful of all to understand. But wait, the worst is still to come. At present the Council have been dealing with innocent total figures such as appear in the honourable member's speech: Wait till we get to the items. Let me tell a little story of the honourable member for Meerut. It happened in the first year of the reforms. We were starting a cattle farm; and he could not find any provision for the cattle in the budget. Then I had to explain that in the budget cows were classified as contingencies. Somebody asked what a contingent cow was. I said that it was probably a calf. But matters can be worse than that. A certain head of department asked me if he could buy an elephant. After inquiring why he wanted one. I asked him how he proposed to classify it. He said that elephants were always classified under the head "tools and plant." Yes, Sir, there is at this moment an elephant somewhere in this budget disguised as either a tool or a plant. Well, as I have said, Sir, the budget is very difficult to explain, and still more difficult to understand. My job, unfortunately, is to explain it. The honourable member for Meerut compared me once more to a school master—myself as school master and the whole Council as a class. Well, Sir, I do not think I like that simile very much. In the first place—Dr. Ganesh Prasad will correct me if I am wrong—I do not think any man is expected to teach arithmetic without a blackboard and a piece of chalk. That would be a most inconvenient thing to do here especially to put, Sir, because the only place to put the board is near your desk. I think I had better dismiss at once the school master idea. After all a school master is either primary or secondary or at best intermediate. I think I had better become a professor of a university, going in for private tuition from 10 to 4, including Sundays.

Now I come to certain details. The honourable member for Cawnpore is very much against the Excise department and he advocates its abolition. So did other members. As far as I can make out they object to the Excise department because they object to the consumption of liquor. Objection to the consumption of liquor is perfectly intelligible. I remember Mr. Chintamani telling me once that though at top I was a Finance Secretary at bottom I was a temperance reformer. But you are not going to abolish consumption by abolishing the Excise department. It is true that once we have prohibition we do not need a department for the purpose of collecting revenue. But we shall then require a department twice as large as the present one to enforce prohibition. If prohibition is to be introduced, so far from saving anything on the transaction, you will lose very heavily both by increased expenditure and by decreased revenue.

The next point to which I wish to refer is the development loan. As usual Mr. David described me as a juggler. He has been saying the same thing since 1921. As a matter of fact the real jugglery is his own mind. I think he is the worst of all my pupils. I have never been able to make him understand anything. He has never been able to understand the development loan: he has never been able to understand the deficit. I do not suppose that he ever will. The particular point that troubles him is the amount of money that has been spent on the objects for which the loan was raised. I will just give him some figures and he can take it from me that they are with a few thousands correct. 266 lakhs out of 420 have been spent for the purposes for which the loan was raised—111 lakhs have been temporarily diverted for the purpose of covering the deficit on the revenue account, and 43 lakhs are left at the present moment.

Some of the members referred to over-budgeting. Over-budgeting does occur. It occurs in every department. The honourable member for Meerut told us that this was the first time we had admitted it. There he is wrong. I refer him in the first place to the Budget Manual, where he will find that heads of departments are seriously warned against that offence. He will also find a lot about it in the Public Accounts Committee's report and the various notes connected with it. If he cares to examine original files, he will find various notes by myself and the Hon'ble the Finance Member, warning the heads of departments against the practice of over-budgeting. I remember one case in which the Chief Conservator of Forests—when the reforms were very young, before he realized what over-budgeting meant, told me that he wanted to incur certain expenditure which was not in the budget and that he could meet it from savings. This was before the budget had been passed. I told him that if he could point to savings so early, it showed that he had been over estimating, and I cut two lakhs out of his budget at once. As a matter of fact this over-budgeting is due mainly to the present system of accounts, which leads to and invites over-budgeting. We have at the present moment a new system under consideration which I hope will correct that entirely. The honourable member for Meerut wanted me to elucidate certain figures. I am too old a bird to be caught by the honourable member's chaff. I am not going to discuss complicated figures in Council, without a black board. If he wants to discuss them, he must come outside.

[Mr. E. A. H. Blunt.]

The same honourable member wanted to know what were productive canals and what were unproductive canals. I cannot give him the names from memory but there are two only at present classed as productive which pay more than 6 per cent. on the capital outlay and are therefore really productive. Others pay less, except of course the protective canals, which pay nothing.

The honourable member for Naini Tal had certain requests to make. He asked that irrigation revenue should be shown net minus the interest. As a matter of fact Pandit Hirday Nath Kunzru asked that last year. The honourable member will find the figures in the last paragraph of Part II of the memo....

Pandit Govind Ballabh Pant : I did not say that the figures were not available. I said that in statement A the amount that is shown under revenue from irrigation should not be 70 lakhs and odd but that the interest shown under that head in statement B should be deducted beforehand and not alone should be shown.

Mr. E. A. H. Blunt : I misunderstood the honourable member. I am sorry. Then he also wished that the figures of various estates should be shown separately. That is not a matter for the Finance department but for the Revenue department, because these detailed figures are not prepared by the Finance department but by the Administrative department, in this case the Revenue department. However, I will put it to the Revenue Secretary. He will have no difficulty so far as big estates are concerned, viz. Tarai and Bhabar and Dudhi, but there are a large number of little ones for which it will be difficult to give separate figures.

Thakur Jagannath Bakhsh Singh wanted to know what capital we have invested in subsidized companies. There is only one such company, viz., the Shahdara-Saharanpur Light Railway, we gave them all their land: that constitutes our investment and in return we get a share of their profits. The profits this year are estimated to be Rs. 1,65,000; but I think they will be considerably more. He also wanted separate figures for the Agricultural department as for the forest. I shall be delighted to supply those figures as soon as there is some fixity about the budget figures, for at present they are shifted every year from one place to another for no other reason, so far as I can see than to see where they look the nicest. The same honourable member said that the estimate of excise revenue was optimistic, the estimate of irrigation revenue was pessimistic, and he also suggested that we should induce the Government of India to give up 25 lakhs. Sir, if excise is optimistic and irrigation is pessimistic, I hope they will cancel each other. But when he talks of the Government of India giving up 25 lakhs, who is the optimist? I think the honourable member. Perhaps the honourable member may not know the definition given by Professor Bradley of an optimist. An optimist is one who says that this is the best of all possible worlds, and everything in it is a necessary evil. I am afraid that the contribution, the 25 lakhs, and even the Government of India are all necessary evils.

Mr. Saifi was very anxious about cottage industries. I quite see his point. The difficulty there is how to give assistance to the actual

industrialist. He is generally a very small man and it is very difficult to get hold of him; still more to get adequate security from him. However a scheme is being worked out which will, I hope, enable us to help industrialists through co-operative societies.

I think there is one more point. Dr. Ganesh Prasad started his speech by saying that he wanted to quarrel with the Hon'ble the Finance Member and the Finance Secretary. Well, I engage in a friendly quarrel with anybody and I began metaphorically to get ready for him. Then he murmured the words "educational policy." That reassured me. He told us of the case of a friend of his who always went into a fit of joy when he heard the magic words "D.Sc., London". I, Sir, went into fit of relief when I heard the words "educational policy." For the Finance department have nothing to do with policy. All they have got to do is to turn the policy of the Government, or of individual members thereof, into rupees annas and pies. Again, when a Minister or the Council gets too ecstatic about his policy, one of our jobs is to administer a douche of financial cold water. The Financial Secretary and the Financial department are a sort of brake on the chariot of the State; and Sir, being, as I am, a brake, the honourable member for Naini Tal will probably admit that it is just as well that I am bulky.

The Hon'ble Mr. S. P. O'Donnell: I have to thank honourable members to begin with, for the generous, the over-generous references which they have made to myself. The credit which they have given to me is really due to the Financial Secretary.

The Financial Secretary has dealt lucidly with the points of detail that have been taken, and I shall confine myself therefore to a few of the more important criticisms that have emerged during the course of the debate.

Two honourable members complained that insufficient time had been allowed for the examination of the budget. I must confess that it had not occurred to me that seven days would be considered an inadequate period. I am not aware that a longer period is allowed in any other province or by the Government of India; and with every desire to meet honourable members in the matter, I think it would be difficult to extend the period without unduly prolonging the session of the Council into the hot weather.

On the subject of the contribution, our views are naturally in complete sympathy with those of the honourable members who referred to that topic. We have never admitted that the share of the expenditure of the Central Government, which is imposed upon us by the Devolution Rules, was just or reasonable. The standard of expenditure of this province has always been low. At present I think it is, with one exception, the lowest in India. In the pre-Reform days we suffered for that fact; at every revision of the financial settlements the resources allotted to us were correspondingly low. Under the Reforms we have been given separate revenues, but the benefit of that change has been greatly reduced by the excessive contribution which we have to make to the Central Government. I can assure honourable members that the Government of India are in no doubt as regards our views on this subject. If they have not been able to reduce the contribution so far, it is not because they have failed to realize or understand our attitude on the subject. A few days ago it was announced by the Government

[The Hon'ble Mr. S. P. O'Donnell.]

of India that in a certain contingency we should get a reduction of thirty lakhs. I shall not attempt to forecast the decision. I can only express the fervent hope that the Government of India may find it possible to make that reduction.

Several honourable members have referred to the all-India services. As I have had occasion to point out more than once before, these services are not controlled by this Government. They are controlled and regulated by the Secretary of State, and all questions connected with them, their recruitment, composition, and pay, are at present under investigation by the Royal Commission. But what I desire to point out is this, that whatever may be the outcome of the investigations of the Royal Commission, it is an entire delusion to suppose that the most rapid reduction of the all-India Services conceivable or even their complete extinction would yield more than a fraction of the sums imagined by some honourable members. It is sufficient to make a calculation of the pay of the officers by whom they would have to be replaced, to see that, quite apart from any ulterior consequences, the direct savings realizable would only be a small percentage of our total revenues.

When I presented the budget, I claimed that so far as the immediate future was concerned, we had carried economy to the farthest limit possible. I was careful to limit that claim to the immediate future. I did not say, or suggest, that further economies would not be possible when we have completed our examination of some of the important suggestions made by the Economy Committee. But I do maintain that, so far as the immediate future is concerned, the claim is justified. It is not possible for me, in the time available, to examine in detail all the recommendations of the Economy Committee. Our resolution on that report—a resolution, which, I think, does not err on the side of redundancy of language, covers more than thirty pages. Even a cursory examination however of the report and of our resolution is sufficient, I think, to show that how little foundation there is for the charge that there are large economies which could be realized in the near future and which we have not taken steps to carry out. I will, however, glance briefly at the more important heads.

To begin with, I shall take the head "Land Revenue." The recommendations of the Economy Committee under this head are of a minor character. We have already reduced a large number of patwaris, and we have abolished the sadr-kanungos. We are quite prepared to make a reduction of 20 in the number of supervisor-kanungos, if after the examination which the committee considered to be necessary, this is found to be practicable. In any case, since the men reduced would be entitled to notice, the economy realizable during the coming year will be negligible. The Economy Committee did not deal with the question of land settlement, and as there will be an opportunity for discussing that matter on the demand I will reserve for that occasion what observations I have to make on that subject.

Under Forests there are no points on which we have differed from the Economy Committee. One honourable member referred to the increase in the number of Imperial Forest officers. The explanation of that is quite simple. No increase has been made in the permanent cadre. All that

has happened is that some recruits have been sent out from England to fill vacancies in the permanent sanctioned cadre.

The Economy Committee's report recognizes that in the Irrigation department, there has been a gratifying response to the need for economy. We have accepted practically all the recommendations of the Economy Committee, except one, namely, the amalgamation of two divisions, which we are investigating but with regard to which we entertain some doubt. The honourable member from Meerut referred to the expenditure on the Sarda canal and, in particular, to the inspection houses and the Bareilly workshop. The honourable member is an acute and formidable critic, but he is also a very fair-minded and reasonable critic and I hope that when we come to discuss the demand for irrigation we shall be able to show that the expenditure on these objects has been justified. I think that he was under some misapprehension as regards the debit of the interest on the Sarda. We anticipate that there will be a profit on the Sarda. It will, however, be a small profit and not a large profit, and since the canal is very largely productive in character, we think it reasonable to debit the interest on its construction to the Famine Insurance Fund. Under General Administration there is the question of Commissioners. One honourable member was under the impression that the committee recommended the abolition of all Commissioners. That is not correct. What they recommended was the reduction of Commissioners from 10 to 5. We have sent the report to the Government of India and we have sent our recommendations. As honourable members are aware, under standing orders I am precluded from making any statement as to the character of those recommendations. I can only say that we are awaiting the orders of the Government of India. But as the matter is one which falls within the scope of the Royal Commission, it does not seem probable that early orders will be received. I have nothing to add to the remarks in the resolution on the subject of the pay of the Executive Councillors and the Hon'ble the President of the Council. I merely note that it is admitted that no immediate economy could be effected. I was a little surprised that so much stress was laid on the question of the status of the Chief Secretary. The proposal that the Chief Secretary should lose his present status was not endorsed by the committee as a whole or even by a majority of it. The arrangement in this province is the same as that in other provinces, and I am not aware that any alteration is contemplated in any other province. But, quite apart from that, the economy in question is negligible. Under "District Administration" the most important proposal is the abolition of districts and tahsils. We have undertaken that no district or tahsil shall be abolished until the public and the Council have had a full opportunity of expressing their views, [and, even if it is decided that any district or tahsil should be abolished, there will be innumerable details to be worked out, and therefore no change could be made in the coming year. I will not reiterate the analysis which we gave of the committee's proposals regarding the leave reserve of the Provincial Executive Service. This is a technical matter and difficult to explain during the course of the debate. I think, however, that we have shown that no reduction is possible. I think the Council will also agree that it would be premature to investigate the strength of the Provincial Executive Service when the separation of judicial and executive is imminent.

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Under administration of justice the most important proposal of the Committee was that the establishment of a Chief Court for Oudh should be dropped. We have had on that important point to differ from the Committee. The late Council passed by an overwhelming majority a proposal for the establishment of such a court, and so far we have seen nothing to indicate that the present Council takes a different view.

The committee naturally did not deal with the question of the separation of judicial and executive, that of course is not an economy, on the contrary their separation will add to our expenditure ultimately by something like 9 lakhs. But since the matter falls under the head of administration of justice, I propose to explain how it stands. We have submitted our proposals to the Government of India. We have twice sent reminders and we await their orders. If there has been delay, it is delay for which the responsibility does not rest with us. In presenting the budget last year I undertook that if our taxation proposals were carried through we would give effect to this great reform and stand ready to carry out our pledge as soon as the sanction of the higher authority is received. The other suggestions of the Economy Committee are being carried out or are being explored, but we do not expect any large economies in the near future.

As to jails we are taking steps to reduce the number of prisoners under simple imprisonment, but the process must inevitably be slow and gradual. I anticipate no difficulty regarding the abolition of 5th class jails, but so far as I can see the saving realized is not likely to be large. The extension of the use of jail manufactures is a delicate matter. We have to be very careful not to enter into competition with private enterprises and for that reason it is necessary to proceed cautiously.

Lastly I come to the Police department. There is no department in which economy has been more vigorously pursued. During the last two years we have reduced the expenditure of that department by 20 lakhs and we have cut down the district executive force alone by no less than two thousand men. There are only two points on which we differ from the Economy Committee, namely the reduction of two deputy inspectors-general of police and the reduction of circle inspectors. We have given our reasons for our views and we shall be prepared to defend our position at length, if necessary, when the Police demand comes up for discussion. I will only say now that in my opinion, in my humble judgment there is no greater mistake than to suppose that you can have efficient administration without supervision. I know no department where constant and efficient supervision is more necessary than in the Police department. I think that our reference to the increase in crime has been misunderstood by one honourable member. I hasten to reassure him that we do not contemplate any increase in the number of deputy inspectors-general of police. We have, however, already abolished the fifth deputy inspector-general of police and it did seem to us reasonable to point to the very serious increase in crime as a reason for not making any further reduction. As to circle inspectors we have already abolished thirty-seven and two more are to be abolished, that is a total amounting to about two-thirds of the number recommended by the Economy Committee. Our difference with the Committee is entirely as to the scope of the duties of circle inspectors. We have taken the view that their duties cannot be confined to investigation only, and in that view we are supported by our

expert advisers and by the department generally. I may further point out that even if the committee's proposals for the reduction of two deputy inspectors-general and of extra twenty-one or twenty-two circle inspectors were accepted, the economies realizable in the coming year would be extremely small. It is quite a mistake to suppose that by abolishing certain posts the full saving can be immediately realized, for the simple reason that when the posts have been abolished the men do not disappear. They have to be provided for in one way or other, and many years must elapse before the full economy can be secured. I maintain, therefore, that the claims I made in presenting the budget was fully justified. I ought, perhaps, to refer to the transferred departments. The criticisms levelled against them have already been answered and I will merely say that while I yield to no one in my desire for economy, it is not obvious to me in what direction large economies are possible in the near future in those departments. It seems to me that such questions is the re-organization of secondary education demand a careful and prolonged investigation and do not admit of a hasty decision. I maintain, therefore, as I have clearly said that we have carried economy as far as possible in the coming year, and unless there is a reduction in our contribution, the alternatives before the Council are those that I have already indicated. If our taxation measures are not accepted, then there will be a deficit of 15 lakhs on the revenue account and the closing balance will fall to 15 lakhs. I regret that I cannot agree that we have been unduly pessimistic in regard to the irrigation revenue. I wish I could take that view but I fear that the reverse may prove to be the case. Owing to the exceptionally favourable rains there has been an immense curtailment in the area irrigated by the canals. The honourable member for Meerut regards these favourable rains as a sort of divine administration directed against my humble self. He has, perhaps, sources of information denied to me. I will only say that I have welcomed these rains as much as any other member of this Council, for, whatever their effect on our irrigation revenue, they have been of immense benefit to the people. But it is a fact that the amount of water taken has been far less than usual and the Irrigation department estimated that there would be a shortage of 34 lakhs under irrigation. We thought that, only perhaps, this was an unduly pessimistic estimate and we have budgeted only for a reduction of 20 lakhs. It may, however, turn out that the department was nearer the truth than we were. Then it is necessary for us of course to provide for supplementary estimates during the year. We have never been able to avoid them and as far as I am aware no Government is ever able to dispense with them. We have also to provide for the Chief Court for Oudh. I agree it is possible that there may be no expenditure in the coming year, for reasons for which we are not in the least responsible, on the separation of the executive and judicial functions, though I will not exclude the possibility that under that head too expenditure may be necessary. But so far as the Chief Court is concerned, on the information at present available it seems to me probable that we shall have to provide a substantial sum during the coming year. Allowing for these factors it is obvious that, if our taxation measures are refused, no course will be open to us but to cut down drastically new items of expenditure. Most of the reductions, as I have already said, may have to be made under the transferred heads. That is not in the least because we are partial to the reserved departments

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or because we desire to penalize the transferred departments. It is because most of the items are under those heads and because the few items under the reserved heads are either unavoidable or remunerative. We cannot avoid the expenditure on the alteration to the Narora weir nor on the increase of the judicial staff and the expenditure on the tramways is likely to be extremely remunerative. I was a little surprised that the necessity for these tramways was contested by an honourable member from Cawnpore. He is a business man; he is the President or the representative of the United Provinces Chamber of Commerce and I thought that he would be the first to agree with me that we cannot expect to realize the full revenue obtainable from these forests unless and until the forests have been provided with means of communication. I may say that on this point there is no difference of opinion between myself and the Hon'ble Ministers. We are all agreed that if our taxation measures are refused, we shall have no option but to cut down new items of expenditure mainly under the transferred heads. Therefore the choice that lies before the Council, on the assumption that our contribution is not reduced, is that which I have already mentioned. The choice is between the extension of the operation of the taxation measures passed last year and the further retardation of the progress of these provinces.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Friday, 7th March, 1924.

The Council met in the Council Chamber, Lucknow, at 11 a. m. The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.	Thakur Keshava Chandra Singh Chaudhri.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.	Pandit Sri Krishna Dutt Paliwal.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Babu Parsidh Narayan Anad.
The Hon'ble Rai Rajeshwar Bali.	Babu Dip Narayan Roy.
Mr. G. B. Lambert.	Thakur Hanuman Singh.
Mr. E. A. H. Blunt.	Raja Indrajit Pratap Bahadur Sahi.
Kunwar Jagdish Prasad.	Pandit Govind Ballabh Pant.
Mr. G. B. F. Muir.	Pandit Hargovind Pant.
Mr. A. C. Verrières.	Mr. Mukundi Lal.
Mr. C. E. D. Peters.	Babu Ram Chandra Sinha.
Mr. J. R. W. Bennett.	Raja Saankar Sabai.
Mr. S. H. Fremantle.	Dr. Jankarai Nath Misra.
Mr. R. Burn.	Kunwar Rajendra Singh.
Mr. W. S. Cassels.	Rai Bahadur Thakur Mashal Singh.
Mr. A. G. P. Pullan.	Babu Sita Ram.
Mr. H. G. Billson.	Thakur Hukam Singh.
Mr. A. D. Ashdown.	Kunwar Surendra Pratap Sahi.
Lieut.-Colonel R. F. Baird.	Rai Bahadur Babu Shankar Dayal.
Mr. A. H. Mackenzie.	Mr. Muhammad Aslam Saifi.
Mr. G. Clarke.	Maulvi Zabur-ud-din.
Raja Muhammad Ejaz Rasul Khan.	Lieut. Nawab Jamsheed Ali Khan.
Raja Bahadur Brij Narayan Rai.	Khan Bahadur Chaudhri Amir Hasan Khan.
Mr. H. C. Desanges.	Maulvi Obaid-ul-Rahman Khan.
Mr. H. David.	Dr. Zia-ud-din Ahmad.
Babu Khem Chand.	Hafiz Hidayat Husain.
Babu Narayan Prasad Arora.	Mr. Masud-uz-Zaman.
Babu Mohan Lal Saksena.	Nawabzada Muhammad Yusuf.
Babu Damodar Das.	Maulvi Abdul Hakim.
Rai Bahadur Lala Sita Ram.	Sayid Muhammad Ashiq Husain.
Babu Bhagwati Sahai Bedar.	Khan Bahadur Maulvi Fasih-ud-din.
Chaudhri Sheoraj Singh.	Mr. Ashiq Husain Mirza.
Pandit Nanak Chand.	Lieut. Shaikh Shahid Husain.
Lala Babu Lal.	Lala Mathura Prasad Mehrotra.
Rai Bahadur Pandit Kharagjit Misra.	Raja Shambhu Dayal.
Babu Nemi Saran.	Lieut. Shaikh Imtiaz Rasul Khan.
Chaudhri Badan Singh.	Thakur Jagannath Bakhsh Singh.
Thakur Saibo Singh.	Sir Thomas Smith, Kt., V.D.
Pandit Brijnandan Prasad Misra.	Mr. Tracy Gavin Jones.
Thakur Har Prasad Singh.	Rai Bahadur Babu Vikramajit Singh.
	Dr. Ganesh Prasad.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

LUCKNOW UNIVERSITY.

*1. **Thakur Jagannath Bakhsh Singh:** What was the total annual grant to King George's Medical College and Hospital before the two institutions were made over to the Lucknow University?

The Hon'ble Rai Rajeshwar Bali: The Government grant was Rs. 3,86,563. The buildings, electric installation and gas plants were also supervised by the Public Works department free of cost.

* 2. **Thakur Jagannath Bakhsh Singh:** Does the budget grant to the University include the grant to the King George's Medical College and Hospital?

The Hon'ble Rai Rajeshwar Bali: Yes.

* 3. **Thakur Jagannath Bakhsh Singh:** What was the total grant to the Canning College before it was handed over to the Lucknow University?

The Hon'ble Rai Rajeshwar Bali: The total recurring Government grant to the Canning College in 1921-22 was Rs. 86,237.

* 4. **Thakur Jagannath Bakhsh Singh:** Does the budget grant to Lucknow University include the grant to the Canning College?

The Hon'ble Rai Rajeshwar Bali: Yes.

ALLAHABAD AND LUCKNOW UNIVERSITIES.

* 5. **Thakur Jagannath Bakhsh Singh:** What are the amounts of endowments of the Allahabad and Lucknow Universities, respectively, and how much of each consists of public subscription?

The Hon'ble Rai Rajeshwar Bali: In the Allahabad University there are endowments amounting to Rs. 2,38,200, all from private funds, including Rs. 1,41,200 from public subscriptions. In the Lucknow University, public subscriptions realized up to the end of November, 1923 amount to Rs. 18,36,292. The face value of securities covering endowments for scholarships and medals, etc., from private funds and public subscriptions amount to Rs. 1,50,325. In addition to these, the University holds securities by transfer of the face value of Rs. 3,12,900. The taluqdari subscriptions to the Canning College for the year 1923-24 amount to Rs. 52,000.

* 6. **Thakur Jagannath Bakhsh Singh:** What are the amounts of public subscriptions spent on the buildings and equipment now in possession of the Allahabad and Lucknow Universities respectively?

The Hon'ble Rai Rajeshwar Bali: The matter is under consideration. A reply will be given at a later date.

LUCKNOW UNIVERSITY.

* 7. **Thakur Jagannath Bakhsh Singh:** What amount was spent for the following purposes in connection with the Lucknow University:—

(a) selection of sites for buildings;

(b) preparation of building plans;

(c) laying of the foundation stone;

* 8. Were the above amounts spent out of Government money or from the subscriptions raised for the University ?

* 9. Who spent the money —

- (a) the Government, or
- (b) the University ?

* 10. Are the sites selected considered to be suitable for the buildings by competent authority ?

* 11. If not, what are the reasons for discarding them; on whose report and of what date ?

* 12. Will the above report be laid on the table ?

The Hon'ble Rai Rajeshwar Bali: The matter is under consideration. A reply will be given at a later date.

* 13. **Thakur Jagannath Bakhsh Singh:** With reference to the answer to starred question No. 20, asked by Rai Bahadur Babu Shanker Dayal on the 29th January, 1924, will the Government be pleased to lay on the table a copy of the letter sent to the Lucknow University in reply to the representation made by its Executive Committee regarding a seat on the local Legislative Council ?

The Hon'ble Mr. S. P. O'Donnell: A copy of the letter in question is laid on the table.

Copy of letter No. 1293-L./XVII—46, dated Naini Tal, the 17th August, 1923, from L. S. WHITE, Esq., I.C.S., Deputy Secretary to Government, United Provinces, to the Registrar, Lucknow University, Lucknow.

I AM directed to refer to your letter No. 8370/28/2/23, dated the 28th June, 1923, in which you addressed this Government on the subject of the allotment of a seat to the Lucknow University on the Legislative Council in the next elections for the said Council.

2. In reply, I am to say that the Governor in Council infers, from the fact that the electorates are determined by rules which have to receive the approval of Parliament, that the intention was that the electorate should remain unaltered for a considerable period. The Lucknow University, however prosperous, is as yet only about three years old; and its claims to separate representation in Council can hardly be regarded yet as on a par with those of the older University of the province. In any case it would be too late to move in the matter with any effect before the next elections, since any alteration in the rules would require the approval of Parliament.

3. I am to say that, for the reasons set forth above, the Governor in Council regrets that he is not at present prepared to make any recommendations in the matter.

* 14. **Thakur Jagannath Bakhsh Singh:** Before the King George's Medical College and Hospital was made over to the Lucknow University, was the said college included in the Lucknow Public Works department sub-division (Buildings branch) or was there any separate sub-division for it ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The answer is in the affirmative.

CIVIL JURISDICTION IN CHIEF COURT OF OUDH AND ALLAHABAD HIGH COURT.

* 15. **Rai Bahadur Lala Sita Ram:** Is it a fact that it is proposed to invest the projected Chief Court of Oudh with ordinary original civil jurisdiction?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The Government is in correspondence with the Government of India on the subject of the Chief Court and cannot make any statement at present.

* 16. **Rai Bahadur Lala Sita Ram:** Has the Allahabad High Court been invested with this ordinary original civil jurisdiction?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No.

* 16A. **Rai Bahadur Lala Sita Ram:** Will the Chief Court of Oudh, when established, enjoy the privilege that no court fees should be leviable on cases filed before it in its ordinary original civil jurisdiction similar to the privilege enjoyed by the High Courts of Bombay, Madras and Calcutta in such cases?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: A reply will be given later.

WATERWAYS IN UNITED PROVINCES.

* 17. **Rai Bahadur Lala Sita Ram:** Will the Government be pleased to state the tonnage or maundage of goods borne by waterways in the United Provinces in the years 1890, 1900, 1910, and 1920?

The Hon'ble Mr. S. P. O'Donnell: A statement giving the information asked for is laid on the table.

Statement referred to in the reply to Council question No. 17 for the meeting of the 7th March, 1924.*

Canals.	Years.			
	1889-90.	1899-1900	1909-10.	1919-20.
	Tons.	Tons.	Tons.	Tons.
Upper and Lower Ganges Canals ..	117,707	116,422	45,085	61,599
Agra Canal ..	31,599	39,110	..*	..*
Total ..	149,306	155,532	45,085	61,599

* Navigation on the Agra Canal was abolished from 1st July, 1904.

* 18. **Rai Bahadur Lala Sita Ram:** Is the Government in a position to apply figures showing the number of boats that plied for goods traffic over the waterways in the United Provinces in the years 1890, 1900, 1910 and 1920? If so, will the Government be pleased to do so?

The Hon'ble Mr. S. P. O'Donnell: A statement is laid on the table.

Statement referred to in the reply to Council question No. 18 for the meeting of the 7th March, 1924.*

Canals.	Years.			
	1885-90.	1899-1900.	1909-10.	1919-20.
	No.	No.	No.	No.
Upper and Lower Ganges Canals ..	240	212	119	75
Agra Canal ..	49	52	..*	..*
Total ..	289	264	119	76

* Navigation on the Agra Canal was abolished from 1st July, 1904.

Figures for 1890 and 1900 include passenger boats also. Separate figures of boats for goods traffic are not available for these years.

Rai Bahadur Lala Sita Ram : Will Government be pleased to inquire into the causes of reduction in tonnage and the number of boats plying for hire ?

The Hon'ble Mr. S. P. O'Donnell : I will inquire into the matter.

RELEASE OF M. JALIL AHMAD.

* 19. **Pandit Bhagwat Narayan Bhargava :** In continuation of my starred questions Nos. 9 and 10 of the 30th January, 1924, will the Government be pleased to state why M. Jalil Ahmad has not been released in pursuance of the resolution of the Council recommending clemency to all prisoners ?

Will the Government kindly state what sort of labour is being given to the said M. Jalil Ahmad ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : A reply will be given later.

RELEASE OF INCENDIARIES IN KUMAUN.

* 20. **Pandit Hargovind Pant :** In view of the resolution of this Council, dated the 30th January, 1924, what steps, if any, has the Government taken with regard to the release of persons convicted of incendiarism in Kumaun in 1921-22 ?

* 21. When are they expected to be released ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honourable member is referred to the answer given to starred question No. 3 of the 26th February, 1924.

CONVICTION OF MOHAN JOSHI AND OTHERS.

* 22. **Pandit Hargovind Pant :** Is the Government aware that Mr. Mohan Joshi of Almora, recently (on the 28th January, 1924)

convicted by the District Magistrate, Almora, of offences under sections 117, 143 and 188, Indian Penal Code, and undergoing three years' rigorous imprisonment in the Central Jail, Bareilly, is a graduate of the Allahabad University, is a member of the All-India Congress Committee, belongs to a family of social standing, and is well-known for his non-violent views?

*23. Does the Government also know that Lala Shiam Lal Sah, Pandit in Ballabh Pant, Pandit Gopal Dat Bhatt and Shrijat Nar Singh, who have been convicted along with Mr. Mohan Joshi, also belong to respectable families and even according to the prosecution story, took only a minor part in the alleged offences?

*24. Will the Government be pleased to say if Mr. Joshi and his companions have been given a special class or are all or any of them being treated as ordinary prisoners?

*25. If any of the aforesaid prisoners are being treated as ordinary prisoners, for what reasons and on what principles?

*26. Will the Government be pleased to state what kind of work, if any, has been given to each of them?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Answers will be given at a later date.

UTILIZATION CIRCLE.

*27. **Mr. Ashiq Husain Mirza :** Will the Government be pleased to state if the Timber Supply Officer is still being maintained at Bareilly?

*28. If so, will the Government be pleased to state what is the net yearly expenditure on this branch of the Utilization circle at present?

*29. Will the Government be pleased to state what kinds of timber and how many cubic feet of it has recently been auctioned at Clutterbuckganj and at what average price per cubic foot for each class of timber?

*30. Will the Government be pleased to state what was the gross cost per cubic foot for each class of timber sold, including cost of maintaining the Timber Supply department.

*31. Will the Government be pleased to state how much money has been lost on this enterprise by the Utilization circle?

The Hon'ble Sir Raja Muhammad Ali Muhammad Khan : Replies will be given later.

UNSTARRED QUESTIONS.

CONSOLIDATION OF AGRICULTURAL HOLDINGS.

1. **Rai Bahadur Lala Sita Ram :** Has the attention of the Government been drawn to the success of the scheme of dealing successfully with the evils of "fragmentation" in the Punjab? What steps is the Government taking in the United Provinces to deal with the consolidation of agricultural holdings?

Mr. C. E. D. Peters : References have been made in the Press to the scheme for dealing with "fragmentation" in the Punjab. The matter is receiving consideration.

**SUPERINTENDENT, PHOTO-MECHANICAL AND LITHO-DEPARTMENT,
ROORKEE.**

2. Rai Bahadur Lala Sita Ram : Is it a fact that the post of the Superintendent, Photo-Mechanical and Litho. department at the Roorkee Engineering Coll. ge, is to fall vacant? If so, when? Will the Government advertise for candidates for the vacancy or select a man from the college staff?

Kunwar Jagdish Prasad : Yes. The post will fall vacant from the beginning of April. The vacancy has already been advertised.

HONORARIUM TO CLERKS IN REFORMS OFFICES.

3. Rai Bahadur Lala Sita Ram : (1) What honorarium has been paid to clerks on special duty in connection with Reforms in the various districts? In what districts has this been paid?

(2) Will the Government be pleased to state the criterion on which these districts were selected?

Mr. J. R. W. Bennett : A reply will be given later.

KATARPUR RIOT.

4. Rai Bahadur Lala Sita Ram : Will the Government be pleased to state the number of persons—

(1) who were convicted in connection with the Katarpur riots; and

(2) who have still to undergo various sentences of imprisonment, together with the period still to be undergone by each and the prison in which each prisoner is confined at present?

5. Rai Bahadur Lala Sita Ram : (1) Will the Government be pleased to state whether the long sentences of persons convicted in the Katarpur riot cases were revised by the Board and, if so, whether any recommendation was made in their cases or not? How far has Government acted up to that recommendation?

(2) Will the Government be pleased to direct those cases to be laid before the Board again for further consideration?

Mr. J. R. W. Bennett : Replies will be given later.

OCTROI IN MEERUT.

6. Rai Bahadur Lala Sita Ram : Will the Government be pleased to inquire from all municipal boards of Meerut district where octroi is in force—

(a) whether they accept applications for octroi on Sundays and gazetted holidays; if not, under which rule;

(b) whether they have fixed any hours for accepting refund applications for octroi at head octroi office; if so, under which rule; and

(c) what are the working hours of their head octroi offices?

RULE RELATING TO OCTROI REFUND.

7. Is the Government aware that, under rule 77 of the Municipal Account Code, boards must make refunds "daily"? Will the Government be pleased to invite the attention of all boards levying octroi to comply strictly with the rule and the note thereunder?

Mr. G. B. F. Muir : Inquiry is being made and an answer will be given at a later date.

HOLIDAYS ON FRIDAYS IN COLLEGES AND SCHOOLS.

8. **Mr. Ashiq Husain Mirza :** Will the Government be pleased to state if it is a fact that aided Government schools and colleges in the province are not allowed to close their schools on Fridays instead of Sundays? If so, will the Government be pleased to remove the restriction and allow full liberty of action to Muhammadans in the matter?

Kunwar Jagdish Prasad : The matter is under consideration. A reply will be given at a later date.

COGNIZANCE UNDER SECTION 506, I. P. C.

9. **Babu Bindeshwari Prasad :** How many cases under section 506, Indian Penal Code, were taken cognizance of by the Deputy Commissioner, Gonda, during the last three years without any formal private complaint before any magistrate by the complainant?

10. How many of such cases were against those who professed to be non-co-operators?

11. Is the Government aware that one Ram Dat has been convicted to one year's rigorous imprisonment by a magistrate under section 506 in one of such cases on the 22nd February, 1924, at Gonda?

Mr. J. R. W. Bennett : Replies will be given at a later date.

MOTION FOR POSTPONEMENT OF BUSINESS.

The Hon'ble Mr. S. P. O'Donnell : I beg to move that this motion which stands in my name be postponed to the 27th March. My reasons for so doing are the announcement made by the Government of India on the 29th February. The Government of India have announced that if their proposals are accepted, our contribution will be reduced by 30 lakhs. Thirty lakhs is a larger sum than the total estimated yield of our taxation proposals and it is clear therefore that if our contribution is reduced by that sum there will be no justification for asking the Council to assent to these taxation measures.

I cannot of course say what the decision will be regarding the Government of India's proposal. But I think it will be agreed that until we know what the final decision is, we are not in a position to decide whether extra taxation is required or not. We have not at any rate at present all the materials before us for a decision. For that reason the Council will, I think, agree to postpone the motion. My suggested date, the 27th March, will also meet the point taken by another honourable member, that is by that date the demands will have been voted on.

The Hon'ble the President: Does the same motion apply to other motions on the paper?

The Hon'ble Mr. S. P. O'Donnell: Yes, Sir, from motion 7 to motion 10.

The Hon'ble the President: The question is that motions 7 to 10 be postponed until the 27th of March.

The motion was adopted.

The Hon'ble the President: In these circumstances there is no business for tomorrow except questions. If the Hon'ble the Financial Member will propose an adjournment of the Council till Monday, it will probably meet the convenience of members.

The Hon'ble Mr. S. P. O'Donnell: I move, Sir, that the Council be adjourned till Monday. The motion was put and adopted.

The Council was accordingly adjourned till Monday, the 18th March 1924.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Monday, 10th March, 1924.

THE Council met in the Council Chamber, Lucknow, at 11 a.m.
The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. F. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremontie.
Mr. R. Burn.
Mr. W. S. Cassels.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut. Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad Ejaz Rasul Khan.
Raja Bahadur Brij Narayan Rai.
Mr. H. C. Desanges.
Mr. H. David.
Babu Ehem Chand.
Babu Narayan Prasad Arora.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Rai Bahadur Lala Sita Ram.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.
Rai Bahadur Pandit Kharagjit Misra.
Raja Suryajai Singh.
Babu Nemi Saran.
Chaudhri Badan Singh.
Chaudhri Sardar Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Pande.

Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukm Tej Pratap Singh.
Rai Bahadur Pandit Balbhadra Prasad
Tiwari.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyaya.
Raja Sri Krishna Dutt Dube.
Babu Dip Narayan Roy.
Thakur Hanuman Singh.
Raja Indrajit Pratap Bahadur Sahi.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Raja Shankar Sahai.
Dr. Jaikaran Nath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Babu Sita Ram.
Thakur Hukum Singh.
Rai Bahadur Babu Shankar Dayal.
Dr. Muhammad Naim Ansari.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Chaudhri Amir Hasan
Khan.
Maulvi Obaid-ul-Rahman Khan.
Hafiz Hidayat Husain.
Mr. Masud-uz-Zaman.
Nawabzada Muhammad Yusuf.
Maulvi Abdul Hakim.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Maulvi Muhammad Fazl-ur-
Rahman Khan.
Mr. Ashiq Husain Mirza.
Lieut. Shaikh Shahid Husain.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Mr. St. George H. S. Jackson.
Raja Shambhu Dayal.
Lieut. Shaikh Imtiaz Rasul Khan.
Thakur Jagannath Bakhs Singh.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad.

QUESTIONS AND ANSWERS.

(Listed for the 8th March, 1924.)

STARRED QUESTIONS.

CHAURI CHAURA RELIEF FUND COMMITTEE, GORAKHPUR.

* 1. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to state—

- (a) the names of the members, with their occupations and designations, of the Gorakhpur Chauri Chaura Relief Fund Committee;
- (b) total amount of subscription raised towards this fund;
- (c) if certain police officers assisted in the collection of subscriptions directly or indirectly from rural localities of Gorakhpur and the neighbouring districts?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The information required in reply to questions Nos. 1 to 3 is only partially available. If the honourable member desires further information, it will be furnished to him.

(a) The following are the members of the Gorakhpur Chauri Chaura Relief Fund Committee:—

Mr. A. C. Holmes, District Magistrate, Gorakhpur.

Mr. S. R. Mayers, Superintendent of Police, Gorakhpur.

Rai Bahadur Abhai Nandan Prasad.

Shaikh Muhammad Asaf Zaman.

Khan Sahib Muhammad Zaki.

Babu Murari Lal.

(b) The total amount of the subscriptions collected and credited to the Gorakhpur Chauri Chaura Relief Fund was a little over Rs. 17,000.

(c) Government have no information at present on this point.

* 2. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to lay on the table a list of subscribers towards this fund?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The list of subscribers has not been communicated to Government.

* 3. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to mention the aid given to each victim of the Chauri Chaura tragedy?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The following pensions and gratuities were sanctioned by Government to the dependents of the officers, men and chaukidars who lost their lives in the Chauri Chaura tragedy:—

1 pension of Rs. 42-8 per mensem.

1 " " 35 " "

1 " " 25 " "

1 " " 19 " "

1 " " 18 " "

4 pensions " 16 each.

3 " " 15 "

1 pension " 14 "

2 pensions " 13 each.

9 " " 10 "

9 " " 5 "

29 " " 2 "

15 gratuities of Rs. 100 }

18 " " 50 }

In the case of daughters to be paid on marriage.

Details of the financial assistance given from the Gorakhpur Chauri Chitra Relief Fund have not been communicated to Government, but it is understood that of the amounts subscribed the whole sum, with the exception of Rs. 1,800, was devoted to the immediate needs of the dependents of those killed.

CONVICTIONS FOR WANT OF SECURITY UNDER CERTAIN
SECTIONS OF THE CRIMINAL PROCEDURE CODE.

* 4. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to lay on the table a statement showing the total number of persons sent to jail in the districts of Fyzabad, Sitapur, Lakhimpur, Basti, Gorakhpur, Rae Bareilly and Hardoi for failing to furnish securities under sections 106, 107, 108, 109 and 110 of the Criminal Procedure Code, showing separately habituals and casuals under each section, in each of the following years :—(i) 1920, (ii) 1921, (iii) 1922, and (iv) 1923 ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Inquiry is being made and an answer will be given later.

TIME FOR FILING APPLICATIONS IN REVENUE COURTS OF
MORADABAD AND SHAHJAHANPUR.

* 5. **Babu Bhagwati Sahai Bedar** : Is the Government aware that in the revenue courts of Moradabad and Shahjahanpur no time is fixed for calling in applications, nor is sufficient time allowed to the applicants within which they may be able to hand over their applications to the chaprasis who shout in the verandah of the court-rooms declaring the time of filing application ?

The Hon'ble Mr. S. P. O'Donnell : No.

* 6. **Babu Bhagwati Sahai Bedar** : Is it a fact that the applications not received immediately by the court peons are rejected and the applicants have to wait for the next day ?

The Hon'ble Mr. S. P. O'Donnell : Government has no information. Copies of the questions have been sent to the Collectors concerned for any action that may be necessary.

HONORARY SPECIAL AND BENCH MAGISTRATES AND ASSISTANT
COLLECTORS OF MORADABAD AND SHAHJAHANPUR.

* 7. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to lay on the table a statement showing the names and addresses with ages and qualifications of the Honorary Special Magistrates and the Honorary Bench Magistrates and Assistant Collectors in the districts of Moradabad and Shahjahanpur ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : A statement will be laid on the table at a later date.

LICENCE FOR FIRE-ARMS.

* 8. **Babu Bhagwati Sahai Bedar** : Is it a fact that on grounds other than those laid down in the Arms Act licences for fire-arms are granted by way of reward of merit or as a concession ? If so, what is the nature of such merits and the grounds of such concessions ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No grounds are laid down in the Arms Act. The answer is in the negative.

If the suggestion is that licences are granted for improper reasons, this is not the case.

Babu Bhagwati Sahai Bedar : Are licences issued all at random?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No.

Babu Bhagwati Sahai Bedar : What are the grounds on which licences are issued?

The Hon'ble the President : The answer is on the paper. No grounds are laid down in the Arms Act.

* 9. **Babu Bhagwati Sahai Bedar :** Is it a fact that in a large number of cases in the districts of Shahjahanpur, Moradabad, Lakhimpur, Hardoi, Sitapur and Bulandshahr licences have been freely granted to undeserving persons and men of low status, while deserving persons have been deprived of their rights under the Arms Act?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The answer is in the negative.

Babu Bhagwati Sahai Bedar : Is it a fact that Thakur Badri Singh of Raipura who pays a large amount of revenue has been denied a licence?

The Hon'ble the President : Is this a man of low status? Does the inquiry arise out of the question?

Babu Bhagwati Sahai Bedar : Yes, Sir.

The Hon'ble the President : The question is whether licences have been granted freely to undeserving persons and men of low status. Is the person mentioned now of low status?

Babu Bhagwati Sahai Bedar : But, Sir, there are certain things which are given in the Arms Act, such as that men paying so much revenue are entitled to a licence.

The Hon'ble the President : That does not arise out of the original question. It should be put on the paper. The question is why so many persons who ought not to have a licence have it.

Babu Bhagwati Sahai Bedar : I mean to say why has this person been refused a licence?

The Hon'ble the President : That question should be put on the paper.

* 10. **Babu Bhagwati Sahai Bedar :** Is it a fact that licensing officers give no reason for the rejection of applications for licences of fire-arms?

* 11. If so, why in a number of cases has no reason been given for rejection of certain applications?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Licensing officers are not required by law to record reasons for the rejection of applications for licences. As a matter of practice they usually do give reasons, but it is not compulsory to do so.

Babu Nemi Saran : Is it the policy of Government to refuse a licence to certain persons because they hold certain political opinions?

The Hon'ble the President : That does not arise out of this question. Supplementary questions should arise out of the questions on the paper.

The question now asked should be put on the paper.

* 12. **Babu Bhagwati Sahai Bedar :** If not, what action do the Government propose to take ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No action by Government is called for. Under the Arms Rules of 1924 any person whose application for a licence has been refused by the District Magistrate can appeal to the Commissioner.

MURDER OF MARDAN SINGH, HEAD CONSTABLE, SHAHJAHANPUR.

* 13. **Babu Bhagwati Sahai Bedar :** (a) Will the Government be pleased to state—

- (a) the date and time when Mardan Singh, head constable of police, was murdered in Shahjahanpur city;
- (b) the name of the police officer of the local police who actually investigated the case;
- (c) the actual time spent by the local police in the investigation of the case?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) Head Constable Mardan Singh was murdered in Shahjahanpur city at about 1.30 a.m. on the night of the 12th/13th July, 1923.

(b) Sub-Inspector Muhammad Hamid.

(c) His investigation was carried on until the 8th August, 1923, when a C. I. D. Inspector took over the investigation of the case. He was assisted by Sub-Inspector Muhammad Hamid and the local police and he finished the investigation on the 19th January, 1924. The district police formally closed their investigations on the 20th February, 1924.

* 14. **Babu Bhagwati Sahai Bedar :** Is it a fact that special outside aid of the C. I. D. was taken in the investigation of this case ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The reply is in the affirmative.

* 15. **Babu Bhagwati Sahai Bedar :** If so—

- (a) What was the result of the inquiry ?
- (b) What was the number of days the C. I. D. officer took in investigating the matter ?
- (c) Does the report presented by the C. I. D. officer differ from the one submitted by the local police officer on some material points ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) Inconclusive in the absence of reliable evidence.

(b) The information has been given in reply to question No. 13 (c).

(c) Yes, in some respects.

* 16. **Babu Bhagwati Sahai Bedar :** Will the Government take any steps to have this important murder case further investigated ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : There is very little hope of this case ever being brought to a successful conclusion in court. Although technically speaking the investigation has been closed, inquiries are still being made and the investigation will be reopened if any definite clue is obtained.

* 17. **Babu Bhagwati Sahai Bedar :** Will the Government be pleased to state the aid which has been given to the family of the deceased ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : A recommendation for the grant of a pension to the widow of the deceased head constable has been received by Government and is being considered.

BAIJU, THATHERA, OF SHAHJAHANPUR.

* 18. **Babu Bhagwati Sahai Bedar :** Will the Government be pleased to state the approximate value of the stolen property recently recovered from the shop and house of one Baiju, *thathera*, in the city of Shahjahanpur ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) Property to the value of about Rs. 5,000, suspected to have been stolen, was seized by the police on the 9th February, 1924 from the shops and house of Baiju.

(b) Of this property articles worth about Rs. 700 have been claimed by 51 persons as their property.

* 19. **Babu Bhagwati Sahai Bedar :** Is it a fact that this man had been a notorious and habitual receiver of stolen property in the knowledge of the local police ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes.

* 20. **Babu Bhagwati Sahai Bedar :** If so, will the Government be pleased to state how many times and with what result did Mr. Muhammad Hamid, late City Kotwal, search the house and the shop of the said Baiju ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : There is no record that M. Muhammad Hamid, late Kotwal, ever searched the house or shop of the said Baiju.

* 21. **Babu Bhagwati Sahai Bedar :** Why did not the late City Kotwal, Mr. Muhammad Hamid, search the house and shop of the said Baiju even on the request of some gentlemen of the town and the report of his assistants ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Inquiry will be made.

RESOLUTIONS OF THE COUNCIL.

*22. **Babu Bhagwati Sahai Bedar :** Will the Government be pleased to lay on the table—

(a) a list showing the dates of passage and nature of resolutions not accepted by the Government, although passed by the Council;

(b) a list showing the dates of acceptance and nature of resolutions not yet given effect to by the Government, although passed by the old Council and accepted by the Government;

(c) a list showing the dates of withdrawal and nature of motion not given effect to, although withdrawn by the movers in the old Council on the assurance of the Government ?

The Hon'ble Mr. S. P. O'Donnell : A statement is being compiled and will be furnished later.

TEXT-BOOK COMMITTEE.

* 23. **Babu Bhagwati Sahai Bedar:** Will the Government be pleased to state the names of members of the Text-Book Committee? Who selects them, and what is the procedure of selection?

The Hon'ble Rai Rajeshwar Bali: A list containing the names of the members of the committee is laid on the table of the honourable member. As regards the second part of the question, the honourable member is referred to paragraphs 397 to 399 of the Educational Code.

Babu Bhagwati Sahai Bedar: The list is not here, Sir.

The Hon'ble the President: The list is in manuscript. Is there not a manuscript list on the member's table?

No answer.

GOVERNMENT HIGH SCHOOL, SHAHJAHANPUR.

* 24. **Babu Bhagwati Sahai Bedar:** Is the Government aware that a number of students of the X S. L. C. examination class of the Government High School, Shahjahanpur, were not allowed by the Head Master of the said school to continue their studies in his school, simply because they failed in more than one subject in the last S. L. C. examination?

(a) If so, will the Government be pleased to point out the rule or authority under which the said Head Master did so?

(b) If there is no rule, why were Ganga Ram, son of Lala Jagannath Prasad, *rais*, Suraj Prasad, nephew of Lala Jagannath Prasad, *rais*, Nur-ul-Islam, brother of Mr. Sadar-ul-Islam, Sub-Inspector of Police, and Arjun Singh, son of S. Sukha Singh, Secretary, municipal board, Shahjahanpur, not admitted?

* 25. Will the Government be pleased to lay on the table the following statement:—

(a) the maximum number of students allowed in X S. L. C. class;

(b) the total number of students in X S. L. C. class of the said school on the 10th and 31st July, 1923;

(c) the total number of students who appeared in the S. L. C. examination held in April, 1923 from the Government High School, Shahjahanpur;

(d) the names of the students who appeared from the said school but failed in more than one subject in the S. L. C. examination held in April, 1923;

(e) the names of the students who were not allowed to rejoin, with reasons, if any;

(f) number of vacancies in the said class of that school on 10th, 14th and 31st July, 1923; 3rd, 13th and 30th September, 1923; 13th and 27th November, 1923; 11th December, 1923; and 18th February, 1924?

* 26. Can a Head Master of a recognized or Government school declare a failed student of X S. L. C. class of his school unfit to prosecute his studies again in the same class of his school?

(a) If so, will the Government be pleased to point out any rule in support of this procedure?

(b) If not, will the Government be pleased to state how far the action of the Head Master of the Government High School, Shahjahanpur, was justified in striking off the names of the above mentioned students of the said class?

* 27. Is the Government aware that S. Sukha Singh, Secretary, municipal board, Shahjahanpur, appealed to the Inspector of Schools, Rohilkhand division, on the 26th July, 1923, 16th August, 1923 and 12th September, 1923 against the decision of the said Head Master who had not allowed his son to rejoin the school?

(a) If so, what action was taken by the said Inspector of Schools?

(b) Did the Inspector of Schools look into the case himself?

* 28. Is it a fact that the first application to the Inspector of Schools, dated the 26th July, 1923, of S. Sukha Singh was sent to the said Head Master for disposal and reply to that application was given by the said Head Master and not by the Inspector to whom the application was addressed?

* 29. Is the Government aware that S. Sukha Singh appealed to the Director of Public Instruction, United Provinces, on the 21st September, 1923, but no decision of the said officer has yet been communicated to him?

* 30. Is it a fact that the Head Master of the Government High School, Shahjahanpur, admitted in X S. L. C. class students who had failed in more than one subject who had come from other schools?

(a) If so, had he any special reasons that led to the admission of similar students from other schools when he had already refused admission to students of his own school on the same ground?

(b) If not, why has Banke Behari Lal been admitted in the X S. L. C. class in spite of the fact that he had failed in more than one subject?

* 31. Is the Government aware that the Inspector of Schools, Rohilkhand division, in his letter No. 3349, dated the 13th November, 1923, to S. Sukha Singh, stated that the ejection of his son Arjun Singh was chiefly personal and owing to the "difference" between the Head Master and the parent?

If so, will the Government be pleased to state the above mentioned "difference"?

* 32. Is it a fact that the Inspector of Schools, Rohilkhand division, has issued a circulating demi-official letter to all the Head Masters of his circle promising them his support in all matters?

If so, will the Government be pleased to lay on the table a copy of that letter?

* 33. Is it a fact that the unreasonable stubbornness of the Head Master, Government High School, Shahjahanpur, and the undeserved

support of the Inspector of Schools in this connection were in the knowledge of the Director of Public Instruction?

(a) If so, what action did he take in the matter?

(b) If not, what action does he intend to take now?

* 34. Is the Government aware that the question of readmission of Arjun Singh, son of S. Sukha Singh, Secretary, municipal board, Shahjahanpur, has not yet been finally disposed of by the Director of Public Instruction, although it has been pending since 21st September, 1923 and the S. L. C. examination has come so near?

If so, what action does the Government propose to take now?

The Hon'ble Rai Rajeshwar Bali: A reply will be given at a later date.

RESOLUTIONS OF THE COUNCIL.

* 35. **Babu Mohan Lal Saksena:** Will the Government be pleased to give the following information regarding the non-official resolutions passed by the last Council:—

- (i) the total number of resolutions passed by the Council;
- (ii) number of resolutions carried by the Council in spite of the Government opposition;
- (iii) number of such of them as the Government have failed to carry out?

The Hon'ble Mr. S. P. O'Donnell: A statement is being compiled and will be furnished later.

IMPROVEMENT TRUSTS, LUCKNOW AND ALLAHABAD.

* 36. **Babu Mohan Lal Saksena:** Will the Government be pleased to state—

- (i) the total number of schemes undertaken by the Lucknow Improvement Trust since its creation, and the probable cost of their execution;
- (ii) the number of such of them as have not yet been completed;
- (iii) the total amount of loan advanced to the Trust by the Government and the manner in which it is proposed to be covered;
- (iv) the probable amount of money that will be needed to complete the remaining schemes?

* 37. Will the Government be pleased to lay on the table a comparative statement showing the improvements done to the city by the Lucknow Improvement Trust and its predecessor the Town Improvement Committee and the proportionate cost of such improvements?

* 38. In view of the fact that there are Town Improvement Committees both in Lucknow and Allahabad, will the Government in the interest of economy abolish the Improvement Trusts of these places and entrust the improvement work entirely to the aforesaid committees?

The Hon'ble Rai Rajeshwar Bali: An answer will be given at a later date.

ABOLITION OF OCTROI, LUCKNOW.

* 39. **Babu Mohan Lal Saksena :** (a) Has the Government received any proposal from the Lucknow municipal board regarding the abolition of octroi duties on all hand-woven goods and articles made thereof?

(b) If the answer be in the affirmative, when did it receive it and how long will the municipal board have to wait for the necessary sanction?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) On the 24th January, 1924. Sanction cannot be given till the sanction of Government of India is received to the corresponding proposal received from the cantonment.

BURMA MEAT TRADE.

* 40. **Babu Mohan Lal Saksena :** Will the Government be pleased to state what action, if any, it has taken upon Pandit Govind Sahai Sharma's resolution passed in the last Council regarding abolition of Burma meat trade in these provinces?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Statistics as to the number of animals slaughtered for the trade are being collected. When they have been received, Government will consider what action should be taken.

Babu Mohan Lal Saksena : How much time will Government take to collect the information?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : It won't take much time.

(Listed for the 10th March, 1924.)

STARRED QUESTIONS.

MUNICIPAL BOARD, NAINI TAL.

* 1. **Pandit Nanak Chand :** Is the Government aware that the Chairman of Naini Tal Municipal Board and Presidents of sub-committees are all officials and nominated members?

* 2. (a) Is the District Engineer, Naini Tal, a paid servant of the board?

(b) Is he a President of any sub-committee of the board?

(c) Does the Government approve such arrangements; if not, what action does the Government propose to take?

* 3. Is it a fact that Muslims are represented by nominated members in Naini Tal municipal board; if so, does the Government propose to allow Muslims to elect their own representatives?

* 4. Does the Government intend to take steps to make it possible to have a non-official Chairman for Naini Tal municipal board?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

FOREST GRIEVANCES COMMITTEE REPORT.

* 5. **Pandit Nanak Chand :** (a) Has the Government published the Forest Grievances Report?

(b) If so, what steps has it taken to make its recommendations generally known to the villagers and zamindars of Kumaun who are affected by the said report?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) The honourable member is referred to the answer given to starred question No. 43 on the 26th February, 1924.

(b) Notices explaining the position have been issued to thokdars, padhans and others.

* 6. **Pandit Nanak Chand :** Has the Government invited any criticism on the report from the people concerned?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honourable member is referred to notification No. 1121/XIV—109, dated the 6th November, 1922, published in the *United Provinces Gazette* of the 11th November, 1922.

* 6A. **Pandit Nanak Chand :** What action has the Government decided to take on the report, and to make the intentions of the Government known to the people interested in the solution of forest grievances?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honourable member is referred to the answer to question No. 44 of the 26th February, 1924, and the answer given to (b) of question No. 5 of today's date.

* 7. **Pandit Nanak Chand :** (a) Is the Government aware that the Forest department has removed the pillars in those places only where people applied for it?

(b) If so, what steps does the Government propose to take to remove the pillars where people have not applied for it?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The Deputy Commissioners as Forest Settlement Officers have been instructed, where boundary pillars are too close to cultivation, to inquire into the matter and pass suitable orders. It is improbable that the persons concerned would fail to make representations in any case that escaped the District Officer's notice and no action appears necessary.

* 8. **Pandit Nanak Chand :** Will the Government be pleased to disforest lands which are not commercially profitable to the Forest department even in old reserved forests?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : In the Kumaun circle disforestation and classification into classes I and II is following the recommendations of the Kumaun Forest Grievances Committee.

GRAZING FEES.

* 9. **Pandit Nanak Chand :** Will the Government be pleased to state the grounds on which grazing dues are realized from the villagers in the forests?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : In the Kumaun circle no grazing fees are charged. In forests outside the

Kumaun circle fees, where charged, are charged in the interests of forest protection and revenue.

CONSOLIDATION OF AGRICULTURAL HOLDINGS.

*** 10. Pandit Nanak Chand :** (a) Is it a fact that the Government recently appointed an officer to inquire into and report on the question of consolidation of agricultural holdings?

(b) If so, will the Government be pleased to state if the officer has submitted any report, and when does the Government propose to publish the same for eliciting public opinion thereon?

The Hon'ble Mr. S. P. O'Donnell : (a) The answer is in the affirmative.

(b) The answer to the first part is in the affirmative. It is proposed to publish the report shortly.

*** 11. Pandit Nanak Chand :** (a) Does the Government propose to incorporate any provisions for the consolidation of holdings in the new Tenancy Bill?

(b) If not, what other steps does the Government intend to take to make a beginning in the direction of consolidation of agricultural holdings?

The Hon'ble Mr. S. P. O'Donnell : The action to be taken on the report is under the consideration of the Government.

SUSPENSION OF THE BENARES MUNICIPALITY.

*** 12. Pandit Nanak Chand :** (a) Has the Chairman or the board sent any reply or representation on the question of the suspension of the Benares municipality either to the Commissioner or to the Government?

(b) If so, will the Government be pleased to lay a copy of the said reply or representation together with Commissioner's letter recommending suspension on the table?

*** 13.** What action does the Government propose to take on the Commissioner's recommendation for suspension of Benares municipal board?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

ORDER ISSUED BY THE DISTRICT MAGISTRATE, MUZAFFARNAGAR.

*** 16. Pandit Nanak Chand :** (a) Has the Collector and Magistrate of Muzaffarnagar issued the following or a similar order:—

" Each Tahsildar will collect not later than the 31st January not less than Rs. 750 in subscription from the *mauzas* of his tahsil for the Annual Horse Show, Exhibition and Fair to be held from the 3rd to 9th March inclusive in 1924. If any Tahsildar can collect more than Rs. 750 so much the better, but no Tahsildar is to collect less. All subscriptions must be realized and paid into the Fair Fund by the end of January. It is my intention to make the Fair as successful as possible and to hold a Durbar on Saturday, 8th March. Durbaris who fail to contribute suitably and punctually before the 2nd of January will not be invited.

No subscription from the Durbaris will be accepted after the 31st January; their seats will be offered to other subscribers. A regular Durbar on the most approved scale will be held; it is my intention to obtain a full Military Band from Meerut for this ceremony.

(Sd.) G. K. DARLING,

The 10th November, 1923.

District Officer.

(b) If so, has the attention of the Government been drawn to it?

(c) If their attention has been drawn, will the Government be pleased to state if the letter is approved by the Government?

(d) If not, has the Government in any way censured the author of the letter?

(e) If the Government has not thus conveyed their disapproval, what other steps has the Government taken or propose to take?

The Hon'ble Mr. S. P. O'Donnell: (a) Yes.

(b) Yes.

(c), (d) and (e): The Governor in Council has taken suitable action in the matter.

Rai Bahadur Lala Sita Ram: Will the Government be pleased to disclose the nature of the suitable action taken?

The Hon'ble Mr. S. P. O'Donnell: Government has conveyed its disapproval of the issue of the circular.

OFFICIALS PRESENTED TO HIS EXCELLENCY THE GOVERNOR AT BULANDSHAHR.

*16A. **Pandit Nanak Chand:** Will the Government be pleased to send for the list of persons presented to His Excellency the Governor at the Bulandshahr station and see the order in which they were presented and ascertain the pay and period of officials in their present posts?

The Hon'ble Mr. S. P. O'Donnell: In view of the reply to the next question the answer is in the negative. If the honourable member has any complaint of his own in this connection, the Governor in Council will be happy to give it consideration.

ORDER OF PRECEDENCE.

*17. **Pandit Nanak Chand:** (a) Will the Government be pleased to state if there are any standing orders or instructions which regulate the order of precedence of elected representatives to the Council of State, Legislative Assembly, Legislative Council, district and municipal boards and other non-officials as amongst themselves and also in relation to officials and of officials *inter se*?

(b) If so, were such orders and instructions observed on this occasion?

(c) If there are no such orders and instructions, will the Government be pleased to take steps to lay down necessary instructions for the guidance of officers?

The Hon'ble Mr. S. P. O'Donnell: There are no such orders or instructions except in regard to Durbars and Viceregal entertainments. The Local Government is not empowered to lay down rules of precedence.

CHIEF ENGINEERS.

*18. **Pandit Nanak Chand :** (a) Will the Government be pleased to state if any Indian has so far been appointed as Chief Engineer either in the Irrigation branch or Buildings and Roads branch?

(b) If not, will the Government be pleased to state what were the circumstances which prevented such an appointment?

The Hon'ble Mr. S. P. O'Donnell : (a) No.

(b) The post of Chief Engineer is a selection post to which the officer best qualified to fill it in the opinion of the Government is appointed.

Rai Bahadur Lala Sita Ram : Is this selection made on the advice of the retiring officer?

The Hon'ble Mr. S. P. O'Donnell : Government takes such advice as it considers necessary. I am not prepared to go further into details.

Rai Bahadur Lala Sita Ram : Is the matter placed before any Selection Board?

The Hon'ble Mr. S. P. O'Donnell : No, not in the case of the appointment of Chief Engineers, only Superintending Engineers.

* 18A. **Pandit Nanak Chand :** Is it a fact that one of the Chief Engineers' post in the Irrigation branch is about to fall vacant in the near future and Mr. C. E. Hall, seniormost Superintending Engineer, has not intimated that he will rejoin his post after his leave?

The Hon'ble Mr. S. P. O'Donnell : There will be an officiating vacancy shortly owing to the departure on leave of Mr. Bion. Mr. Hall has intimated his intention to retire at the end of his leave.

* 19. **Pandit Nanak Chand :** (a) Is it a fact that attempts are being made either to call back Mr. Hall to occupy the office which will fall vacant or to get Mr. B. D'O. Darley appointed as Chief Engineer by superseding Mr. Hari Prasad Vidyant?

(b) If not, will the Government be pleased to state if they will give the next vacancy to an Indian?

(c) If the Government is not prepared to make a statement, will they be pleased to state their reasons for overlooking the claims of the first Indian senior officer qualified to hold the post?

The Hon'ble Mr. S. P. O'Donnell : (a) It has been decided that Mr. Darley should officiate for Mr. Bion.

(b) and (c). The honourable member is referred to the answer to starred question No. 18.

Rai Bahadur Lala Sita Ram : Is the honourable member in a position to indicate the length of service of Mr. Darley and Mr. Vidyant?

The Hon'ble Mr. S. P. O'Donnell : They are shown in the Civil List.

Rai Bahadur Lala Sita Ram : Will Government be pleased to say how far there is truth in the assertion that Mr. Vidyant has been superseded simply because he is an Indian?

The Hon'ble Mr. S. P. O'Donnell : Absolutely no foundation whatever. Since he has raised this racial question I may point out that only last year an Indian officer was appointed to officiate as Superintending Engineer, who superseded many European officers.

Rai Bahadur Lala Sita Ram : Has Mr. Vidyant had any experience of construction work ?

The Hon'ble Mr. S. P. O'Donnell : I do not know if he has any long experience of construction work. I cannot give any definite answer to that at the moment.

MUNICIPAL BOARD, BULANDSHAHR.

* 20. **Pandit Nanak Chand :** (a) Has the attention of the Hon'ble Minister been drawn to the request of the municipal board, Bulandshahr, in their address to His Excellency the Governor on the occasion of his visit to Bulandshahr, for increasing the number of members of the said board.

(b) If so, what step does the Hon'ble Minister propose to take in this connection ?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) If the board prefers the request in a formal manner through the usual channel it will be considered.

* 21. **Pandit Nanak Chand :** Will the Government be pleased to state if they will take this question into consideration along with the cases of municipal boards whose constitution needs revision on the basis of the last census as indicated in reply to question No. 16, dated the 29th January, 1924 ?

The Hon'ble Rai Rajeshwar Bali : No. The two matters have no necessary connection with each other.

SINGLE MEMBER CONSTITUENCIES FOR MUNICIPAL ELECTIONS.

* 22. **Pandit Nanak Chand :** (a) Will the Government be pleased to state if they will take any steps to introduce the system of single member constituencies for municipal elections as in the case of district boards ?

(b) If so, will the Hon'ble Minister be pleased to state if he will take steps to address the municipal boards to submit their proposals for the division of the present municipal wards returning more than one member for the consideration of the Government ?

The Hon'ble Rai Rajeshwar Bali : An answer will be given at a later date.

LIBRARIES.

* 23. **Pandit Nanak Chand :** (a) Will the Hon'ble Minister for Education be pleased to state as to whether the ordinary grant-in-aid rules for other educational institutions apply to libraries as regards building and equipment where no suitable libraries exist at present ?

(b) If not, will the Government be pleased to state if they have any special rules for encouraging the opening of new libraries and helping the existing ones ?

The Hon'ble Rai Rajeshwar Bali : A reply will be given at a later date.

* 24. **Pandit Nanak Chand :** What steps does the Government propose to take to encourage district boards' circulating libraries ?

* 25. Is it a fact that some time ago Government appointed a committee to report on the question of district boards' circulating libraries; if so, what action has been taken on the recommendations of the committee?

The Hon'ble Rai Rajeshwar Bali: Government appointed a committee to report on the question. As a result of the recommendations of this committee Government prepared a scheme and invited certain district boards which had approved of it to co-operate in giving effect to it experimentally in their districts by bearing half of the cost. On account of financial stringency the boards were unable to respond. The scheme has therefore not been proceeded with further for the present. The matter will be again considered in connection with the budget of 1925-26.

INDUSTRIES OF BULANDSHAHR.

* 26. **Pandit Nanak Chand:** What steps, if any, does the Hon'ble Minister for Industries propose to take to develop the following industries in Bulandshahr district and to save some of them from extinction:—

- (1) cloth printing at Jehangirabad,
- (2) floral glazed pottery at Khurja,
- (3) muslin cottage weaving at Sikandrabad,
- (4) carpet weaving at Jewar,
- (5) glass bangles at Sarai Chhabila?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Government are considering a scheme for the establishment of a pottery school at Khurja. The other industries named will be assisted by another scheme which Government are considering for the grant of loans to cottage industrialists through co-operative societies.

LIST OF GOVERNMENT PUBLICATIONS.

* 27. **Pandit Nanak Chand:** Will the Government be pleased to circulate the list of all annual and other periodical Provincial Government publications with a view to find out the names of publications required by the individual members of the Council for Council work?

The Hon'ble Mr. S. P. O'Donnell: An answer will be given later.

WHIPPING IN JAILS.

* 28. **Pandit Nanak Chand:** (a) With reference to question No. 8, dated the 29th January, 1924, by Rai Bahadur Lala Sita Ram, will the Government be pleased to lay a copy of the rules regulating whipping in jails received from the Government of India on the table?

(b) And further state what action they have decided to take upon the recommendation of the Council for the abolition of flogging since the receipt of the said rules?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: An answer will be given at a later date.

IRRIGATION WORKSHOP AT BAREILLY.

* 29. **Pandit Nanak Chand:** (a) With reference to question No. 12, dated the 29th January, 1924, by Rai Bahadur Lala Sita Ram, will the Government be pleased to state if the Government had obtained the

previous sanction of the Legislative Council for constructing the irrigation workshop at Bareilly?

The Hon'ble Mr. S. P. O'Donnell: The construction of this workshop is included in the Sarda Canal estimates. The expenditure thereon was consequently covered by the sanction given to expenditure on the Sarda Works.

Rai Bahadur Lala Sita Ram: May I know if this workshop was mentioned in the detailed Irrigation estimates?

The Hon'ble Mr. S. P. O'Donnell: I could not say without looking up the papers.

THE CHATTAR MANZIL, LUCKNOW.

* 30. **Pandit Nanak Chand:** (a) With reference to starred question No. 23, dated the 29th January, 1924, about the lease of the Chattar Manzil to the United Service Club, will the Government be pleased to state the circumstances on account of which the building was leased at a figure far below its letting value as assessed by the municipal board, Lucknow, and upheld by the court for the purposes of water-rate?

(b) Is the Chhattar Manzil a Provincial or an Imperial building?

(c) If it is a building of the latter class, on what conditions is it under the Provincial Government?

(d) Will the Government please lay a copy of the present lease on the table and state whether the Government are prepared either to enhance the rent or get the lease cancelled?

The Hon'ble Mr. S. P. O'Donnell: (a) The Chhattar Manzil Palace was in 1860 given over to the United Service Club for use as a club building free of rent in recognition of the services rendered by the covenanted and uncovenanted officers during the Mutiny of 1857. In 1865 the Government of India declared that no public building was to be occupied rent free. In 1866 therefore the rent of the Chhattar Manzil Palace was fixed at Rs. 3,000 a year and that for the Farhat Bakhsh Palace at Rs. 1,000. The rent was calculated to be just sufficient to cover the cost of repairs.

(b) An Imperial building.

(c) The Provincial Government merely maintains the building on behalf of the Government of India.

(d) A copy of the lease is placed on the honourable member's table. The answer to the second part of the question is in the negative. The lease cannot be determined at will.

DISTRICT ADVISORY COUNCILS.

* 31. **Pandit Nanak Chand:** What action have the Government decided to take on the resolution for District Advisory Councils adopted by the Council in its meeting of January, 1924?

The Hon'ble Mr. S. P. O'Donnell: The resolution is under consideration.

PROCEDURE UNDER SECTION 110 OF THE CODE OF CRIMINAL PROCEDURE.

* 32. **Pandit Nanak Chand:** What action has the Government decided to take on the recommendation of this Council in relation to trial of cases under section 110, Criminal Procedure Code, *vide* resolution by Rai Bahadur Lala Sita Ram adopted by this Council in the last January sitting?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The matter will be considered after the conclusion of the present session of the Council. As the honourable member is aware, the members of Government are very fully occupied during the present month.

HOURS OF SALE OF LIQUOR.

* 33. **Pandit Nanak Chand:** (a) What steps has the Hon'ble Minister in charge of Excise taken in pursuance of his assurance given to the Council for the reduction of the hours of sale for liquor shops on the occasion of supplementary estimates in the month of January, 1924?

(b) When is the assurance actually to be carried out in practice?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The necessary notifications are being issued restoring the old hours of sale.

CHANDU.

* 34. **Pandit Nanak Chand:** (a) Is it a fact that the Excise Advisory Committees for the district and municipality of Bulandshahr have unanimously recommended to the Government to take steps to make the preparation, possession and smoking of *chandu* penal?

(b) Will the Hon'ble Minister be pleased to state as to what action he proposes to take?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Yes.

(b) The prohibition of public smoking of opium is not within the provincial subject of Excise as defined in entry No. 16, part II, schedule I of the Devolution Rules; and legislation on the subject relates to the Central subject of Criminal Law. This Government has accordingly addressed the Government of India on the subject and the action to be taken in the matter will depend on the decision of that Government.

SESSIONS CASES OF GARHWAL.

* 35. **Mr. Mukandi Lal:** Will the Government be pleased to state where are the sessions cases of the Garhwal district heard?

* 36. What is the average number of sessions cases per annum from Garhwal (taking the average of the last four years)?

* 37. How many witnesses for prosecution and defence are summoned on the average per case?

* 38. What is the annual expense incurred by the Government in summoning witnesses from Garhwal in Garhwal sessions cases?

* 39. What would be the approximate expense if the Sessions Judge of Kumaun went to Lansdowne or Kotdwara to hold Garhwal sessions?

* 40. What is the distance between the capital of Garhwal and Naini Tal, Haldwani and Pilibhit?

* 41. Will the Government be pleased to consider the question of holding Garhwal sessions at Lansdowne in summer, which is only 26 miles from the railway station and is approached by motor and in winter at Kotdwara, which is on the railway line?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Answers will be given later.

CENTRE FOR S. L. C. AND MATRIC EXAMINEES, GARHWAL.

* 42. **Mr. Mukandi Lal** : Where do the candidates from Garhwal schools appearing for S. L. C. and Matriculation examinations go for their examinations ?

The Hon'ble Rai Rajeshwar Bali : To Srinagar with effect from the examination of 1924.

* 43. **Mr. Mukandi Lal** : Since when have they been going out of the district for appearing in examinations ?

The Hon'ble Rai Rajeshwar Bali : From 1920 to 1923.

* 44. **Mr. Mukandi Lal** : Will the Government be pleased to make arrangements for holding examinations at one of the three high schools in Garhwal district itself ?

The Hon'ble Rai Rajeshwar Bali : Arrangements have already been made for holding the High School examination at the Government High School, Srinagar.

UNSTARRED QUESTIONS.

MUNICIPAL BOARD, NAINI TAL.

1. **Pandit Nanak Chand** : Will the Government be pleased to state the number of elected and nominated members constituting Naini Tal municipal board ?

Mr. G. B. F. Muir : Elected six and nominated five.

MUNICIPAL BOARD, BENARES.

3. **Pandit Nanak Chand** : Is it a fact that the Commissioner, Benares division, has recommended the suspension of the Benares municipal board and the appointment of an official to administer its affairs for five years ?

4. Is it a fact that the Commissioner, Benares division, sent a copy of his letter to Government to the Benares municipal board ?

Mr. G. B. F. Muir : Inquiry is being made and an answer will be given at a later date.

SENIOR CAMBRIDGE AND INTERMEDIATE EXAMINATIONS.

5. **Pandit Nanak Chand** : Is it a fact that the Board of High School and Intermediate Education at its November meeting passed a regulation permitting candidates who pass the Senior Cambridge examination to appear for the Intermediate examination of the Board in the academic year following that in which they pass their Senior Cambridge examination ?

Kunwar Jagdish Prasad : Yes, a temporary regulation.

6. **Pandit Nanak Chand** : Is it a fact that the effect of this regulation is that students taking the Senior Cambridge examination can appear for the Intermediate examination of the Board ?

Kunwar Jagdish Prasad : Yes.

7. Pandit Nanak Chand : Is it a fact that students passing the Board's High School examination cannot appear for the Intermediate examination until after full two academic years ?

Kunwar Jagdish Prasad : Yes.

7A. Pandit Nanak Chand : Will the Government be pleased to state if the said regulation about the Senior Cambridge passed candidates was published under section 15 of the High School and Intermediate Education Act for criticism ; if so, when and where ?

Kunwar Jagdish Prasad : No, but the permanent regulation passed by the Board at its meeting in February will be published.

7B. Pandit Nanak Chand : (a) Is it a fact that the regulation has been approved by the Hon'ble Minister ?

(b) If not, will the Hon'ble Minister veto the same ?

(c) If it has been approved by the Hon'ble Minister, then what action does he propose to rectify the anomalous privilege given to Senior Cambridge examination passed students ?

Kunwar Jagdish Prasad : (a) It has not yet been sent to the Hon'ble Minister for approval.

(b) The Hon'ble Minister will consider the regulation after it has been published for objection.

(c) Does not arise.

SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

10. Pandit Nanak Chand : With reference to question No. 9, dated the 29th January, 1924, by Rai Bahadur Lala Sita Ram, will the Government be pleased to state as to what, if any, action does the Government intend to take on the recommendation referred to in part (b) of the said question ?

Mr. J. R. W. Bennett : Government cannot make any statement on the subject at present as the matter is still under the consideration of Government of India.

PROHIBITION OF A MARRIAGE PROCESSION IN JHANSI

11. Pandit Nanak Chand : (a) With reference to starred question No. 12, dated the 30th January, 1924, will the Government be pleased to lay on the table the text of the order showing the provisions of law and the circumstances under which it was issued ?

(b) With reference to question No. 13, dated the 30th January, 1924, will the Government be pleased to lay on the table a copy of the telegram together with a statement of the action taken by the Commissioner ?

Mr. G. B. Lambert : An answer will be given at a later date.

SALE OF COUNTRY LIQUOR IN SEALED BOTTLES AT BULANDSHAHR.

12. Pandit Nanak Chand : (a) Is it a fact that the Excise Advisory Committee for Bulandshahr municipality has recommended the sale of country liquor in sealed bottles and to stop consumption on the premises of the shop ?

(b) If so, what steps does the Hon'ble Minister propose to take ?

Mr. E. A. H. Blunt : The matter is under consideration and an answer will be given at a later date.

THE BUDGET, 1924-25.

DISCUSSION OF DEMANDS FOR GRANTS.

Demand No. 1.

HEAD 24—ADMINISTRATION OF JUSTICE.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under head 24—Administration of Justice the sum of Rs. 54,24,650 be provided and to move that that sum be voted.

Pandit Nanak Chand : I move that the demand under "24A—Administration of Justice—Allowances" be reduced by Rs. 2,000.

If the honourable members will turn to page 45 of the Detailed Estimates they will find that under Travelling Allowance under head 24A the budget estimate for 1924-25 is Rs. 6,000. The actuals under this head for 1920-21, 1921-22 and 1922-23 are as follows : Rs. 3,203, Rs. 3,465 and Rs. 6,356 respectively. The revised estimates for the present year are Rs. 6,000. The demand made for the next year is Rs. 6,000. As the Hon'ble Judges of the High Court do not very frequently go about touring in connection with their duties and as is apparent from the figures for the year 1920-21 and 1921-22, I think that the amount of Rs. 4,000 will meet their requirements; and if there is any special need for a larger amount that may be demanded later on by the Government in the form of a supplementary estimate. I hope the Hon'ble the Finance Member will accept this moderate reduction.

Mr. E. A. H. Blunt : The figures quoted by the honourable member are quite correct. I rather wondered where he got them from. However, I should have thought that the nature of the figures would show what the reply to this question is. The demand for travelling allowance varies with circumstances. It is quite true that High Court Judges do not as a rule do very much travelling in the ordinary way of business, but they do occasionally get transferred or go on leave, and a High Court Judge is an expensive object to move about the country. There were many transfers in 1922-23, and it is anticipated there will be a considerable number this year. That is why the figures went up. However, I am prepared to meet the honourable gentleman half way and to take the reduction of a thousand.

I move that Rs. 1,000 be substituted for Rs. 2,000 in the original motion.

The amendment was put to the vote and adopted.

The motion, as amended, was then put to the vote and adopted.

Rai Bahadur Lala Sita Ram : The Hon'ble Finance Secretary has just told us that the High Court is an expensive object to move about and he has begun with a happy gesture. Belonging as I do to the school of responsive co-operation, may I just make a moderate amendment in the motion that the amount of Rs. 5,000 be substituted for Rs. 10,000.

There being no objection to the amendment being moved, the honourable member was allowed to move it.

Rai Bahadur Lala Sita Ram : I move that the demand under 24A—Administration of Justice be reduced by Rs. 5,000. It was in March, 1922, just two years ago, that I asked Government about the post of the Registrar in the Allahabad High Court. Taking a cue from this question, my honourable friend from Bulandshahr raised a debate in March, 1922 over this very question, and as an assurance was given on behalf of Government that the matter would be referred to the Hon'ble Chief Justice, that motion was withdrawn by the honourable member concerned. Again, Sir, it fell to the lot of the honourable member for Bulandshahr to raise a debate on exactly a similar motion last year in March, 1923. The House, Sir, then divided evenly, viz., 20 for and 20 against the motion. Then, Sir, following parliamentary traditions, you disclosed yourself as a no-changer on that occasion and therefore the *status quo* was allowed to remain as it was and nothing more was done. It is my unfortunate lot, Sir, to refer to the same subject again—a subject which is not altogether of a pleasant nature, but about which we non-officials have to knock over and over again in this House. The post of Registrar, we were told by the Hon'ble the Home Member, in March, 1922, is not one reserved for a member of the Indian Civil Service by the Secretary of State by any administrative rule, but by a fiction called an executive order that post has been reserved for, and also as a matter of practice that post has been held all along by, a member of the Indian Civil Service. I have no objection to a member of the Indian Civil Service, as such, holding the post of Registrar so long as in theory and in practice there is no bar against an Indian holding the same post. We were told, however, in the course of the previous debate that there was only one Indian, the Hon'ble Justice Sir Pramada Charan Banerji, who held the post of the Deputy Registrar in the High Court in the seventies. The post of the Registrar has not been held by an Indian. I understood that as there was no vacancy, Government or the Hon'ble the Chief Justice could not very well consider the wishes of this House. Recently, however, I find from a notification in the Government Gazette, that Mr. Johnson is going on leave up to October, 1925, and I find that instead of the Hon'ble the Chief Justice nominating some suitable Indian for the post, he has considered it fit to take as his Registrar one Mr. Pedley who has been only four years in service. I do not know, Sir, that the post of Registrar is such an important one. My friend Mr. David calls it the post of munsarim of the Judges of the High Court, and the Hon'ble the Finance Member calls it the post of Secretary to the Chief Justice. I am willing to concede that as it is a ministerial post the primary consideration in the matter must be the views of the Hon'ble the Chief Justice. But there is the question of principle involved. We are after all representing the Indian tax-payer and it is we who are expected to say something about the privileges of our own countrymen and the loaves and fishes of office so far as they affect our own countrymen. What I would like to know is, whether the Hon'ble the Chief Justice did not take into consideration the wishes of this House at all, or whether having taken the wishes of the House into consideration, he has rejected them as worth nothing. It will not be maintained, I believe, on behalf of the Government, that no suitable Indian is available for the post of Registrar. Any number of men, if the Government only have the will to do it, can be found for the purpose. Why, then, is it that the wishes of this House have not been taken into consideration at all?

There is another question that crops up in this connection—I do not know—Mr. Pedley, for aught I know he may be a very good man—I am not at all personal in the matter I am putting forward—but Mr. Pedley is only a gentleman of four years' service. He is getting Rs. 750 according to the latest Civil List plus Rs. 200 overseas pay, i.e., Rs. 950. The salary of the Registrar of the High Court is on the superior time-scale, and Mr. Johnson used to get Rs. 1,600 plus an allowance of Rs. 250. So that a gentleman who was only getting Rs. 950 is at once raised to a post carrying a high salary. The Economy Committee, which had no racial considerations before it because it had three European gentlemen on it, have stated :—" We are not satisfied that it is necessary to attach so high a rate of pay to the post of Registrar and would be inclined to suggest that the pay of this post should correspond to that of the selection grade of the Provincial Service"—that would be Rs. 1,000—1,200. Therefore if a new man or an officiating man is to be appointed he should get only the scale of a Provincial Service officer, not more than that.

The Economy Committee have further stated :—" We doubt the need for the posts both of Deputy and Assistant Registrar; and in an establishment of 199 clerks costing 2,68, we believe that there are opportunities for substantial retrenchment." Now, there is no indication in the Government's resolution that the Government have taken this recommendation of the Economy Committee into consideration at all, because what they say about it is this :—" With the consent of the High Court a small committee has been appointed to consider the possibility of effecting a reduction in the office establishment of the High Court." In other words, what the High Court will be taking into consideration is not the salary of the Registrar; is not whether three men, Registrar, Deputy Registrar and Assistant Registrar, are necessary, but whether there can be any reduction in the number of clerks, translators, peons, etc. I hope this recommendation of the Economy Committee which is of an important nature will not escape the attention of the Government and that the Government will pay due regard to the recommendation of the committee. It is for this purpose, Sir, that I have brought forward this motion.

Dr. Shafa'at Ahmad Khan : Sir, my motion is "that the demand under 24A—Administration of Justice" be reduced by Rs. 10,000.

I wanted to cover the same ground as has been covered by Rai Bahadur Lala Sita Ram.

The Hon'ble the President : Does the honourable member agree to the figure Rs. 5,000 ?

Dr. Shafa'at Ahmad Khan : Yes, I agree.

The Hon'ble the President : Then the honourable member may support the motion of Rai Bahadur Lala Sita Ram ?

Dr. Shafa'at Ahmad Khan : Yes, Sir, I support the motion. There was one question which I believe was before this Council last year and it was found out that during the last 47 years only one Indian was appointed as Deputy Registrar for a few months. This seems to be a state of affairs which ought to have been removed long ago. In the next place, the question of the Deputy Registrar and Assistant Registrar ought to have been taken up before. We were informed last year by the Hon'ble Mr. O'Donnell that Indians were not prohibited from being appointed to these posts. Well, I do not think any thing has been done

[Dr. Shafa'at Ahmad Khan.]

so far. In the next place, the question of the executive orders of the Secretary of State which was mentioned by the Hon'ble the Finance Member ought to have been discussed. We should like to know what those orders are and to what extent they differ from the statute and how far, under modern conditions, it is possible for us to reserve those posts under the executive orders of the Secretary of State.

Pandit Brijnandan Prasad Misra : My own motion also relates to the same subject.

The Hon'ble the President : Does the honourable member support the motion?

Pandit Brijnandan Prasad Misra : Yes, Sir, I support it without making any speech of my own.

The Hon'ble Mr. S. P. O'Donnell : As I dealt with this question last year, I am replying on this occasion also instead of my honourable colleague. I explained last year what the position was as regards the appointment of the Registrar of the High Court. The post is one which is borne under the orders of the Secretary of State and always has been borne on the cadre of the Indian Civil Service. It is possible under section 100 of the Government of India Act or by rules made by the Secretary of State under section 99 of the Government of India Act to appoint to that post a person who is not a member of the Indian Civil Service, and had the Chief Justice recommended an officer belonging to the Provincial Civil Service we should not have had the slightest objection to the appointment. On the contrary, at the present moment, owing to the depletion of the Indian Civil Service cadre, it would have been more convenient from our point of view that an officer of the Provincial Civil Service should have been appointed. The appointment, however, has always been made on the nomination of the Chief Justice and his nomination has never been questioned by any Government. I have been a Registrar myself of the High Court and I do not accept the statement that the post corresponds to that of the munsarim of the civil court. The Registrar of the High Court is practically the Secretary of the High Court and it is not possible for us or any Government to ignore the definite recommendation of the Chief Justice. Rai Bahadur Lala Sita Ram himself admitted that the views of the Chief Justice were the primary consideration and that has always been felt by every Government on the subject. I hope I have made the position quite clear. If the Chief Justice had nominated an officer of the Provincial Service, far from having had any objection we should be rather glad because it would have been more convenient from our point of view.

As regards the cost of the appointment, there is some misunderstanding. The post carries pay on the superior time-scale and had Mr. Pedley remained on in the country in the ordinary line and not taken up this appointment of Registrar, he would have been drawing pay on that scale. To begin with, he will draw Rs. 1,150, which is as a matter of fact below the rate actually suggested by the Economy Committee. So that there will be no increased expenditure.

Then a reference was made to the posts of Deputy Registrar and Assistant Registrar and the inference was drawn from our resolution that the committee which we have appointed did not deal with these appointments. That is a mistake. The committee have expressly dealt with this question. We have received their report, but we have not had time to consider. It contains a full discussion of the posts of Deputy Registrar and Assistant Registrar.

Rai Bahadur Lala Sita Ram: I am constrained to say that I should ask the House to give its decision on this point, because it appears it is the learned Chief Justice who makes this nomination. There is no other way left to us to bring the wishes of the House to the notice of the Chief Justice except by pressing the motion to the vote of the Council.

The motion was put and the Council divided as follows :—

Ayes (52).

Raja Bahadur Brij Narayan Rai.
Babu Narayan Prasad Arora.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Rai Bahadur Lala Sita Ram.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Rai Amba Prasad Sahib.
Raja Suryapal Singh.
Babu Nemi Saran.
Chaudhri Badan Singh.
Chaudhri Sardar Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Pande.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukm Tej Pratap Singh.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyay.
Raja Sri Krishna Dutt Dube.
Babu Dip Narayan Roy.
Thakur Hanuman Singh.

Raja Indrajit Pratap Bahadur Sahi.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Raja Shankar Sahai.
Kunwar Rajendra Singh.
Babu Sita Ram.
Thakur Hukm Singh.
Rai Bahadur Babu Shankar Dayal.
Dr. Muhammad Naim Ansari.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Chaudhri Amir Hasan Khan.
Maulvi Obaid-ul-Rahman Khan.
Mr. Masud-uz-Zaman.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Raja Shambhu Dayal.
Lieut. Shaikh Imtiaz Rasul Khan.
Thakur Jagannath Bakhsh Singh.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad.

Noes (27).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muham-
mad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. E. Burn.

Mr. W. S. Cassels.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad E'jaz Rasul Khan.
Mr. H. O. Desanges.
Babu Khem Chand.
Rai Bahadur Thakur Mashaal Singh.
Nawabzada Muhammad Yusuf.
Mr. Ashiq Husain Mirza.
Mr. St. George H. S. Jackson.

The motion was accordingly adopted.

[The Hon'ble the President.]

Before Pandit Brijnandan Prasad Misra moved the following motion standing in his name: "That the salary of the Government Advocate and the Assistant Government Advocate under '24B—Administration of Justice' be reduced to Rs. 12,000," the Hon'ble Mr. O'Donnell rose to a point of order whether this motion was in time.

The Hon'ble the President: The motion is not in time, and as there is an objection, it cannot be moved.

Mr. Masud-uz-Zaman: I move that the demand under "24B—Administration of Justice—Government Pleaders" be reduced by Rs. 100.

I remember there was a proposal some time ago to replace Government Pleaders by prosecuting inspectors. I wonder what has happened to it. To my mind, for the prosecution of ordinary criminal cases much talents are not required, and so this work can safely be entrusted to the less expensive machinery of prosecuting inspectors.

In the next place, I should like to invite the attention of the Government to the recommendation made by the Economy Committee, namely, that the present scale of fees for Government Pleaders be reduced to the old level, and would like to know what action has been taken on it.

The Hon'ble Mr. S. P. O'Donnell: The Hon'ble the Home Member has asked me to explain this point.

As regards the question of the fees of Government Pleaders, I would refer the honourable member, who moved this motion, to our resolution on the subject. It is there stated that the Government are unable to accept the suggestion that the fees should be reduced. The fees were as a matter of fact fixed as far back as 1886.

If the reference is to the question of substituting court inspectors for Government Pleaders, all I have to say is that the Government are in entire agreement with the Economy Committee's report, and think that it is not desirable to replace Government Pleaders by prosecuting inspectors.

Mr. E. A. H. Blunt: Whatever the Economy Committee may have recommended they never recommended that we should substitute prosecuting inspectors for the two Government Pleaders of Oudh. If the honourable member is keen on having prosecuting inspectors instead of ordinary Government Pleaders he is attacking the wrong figure.

The motion was, by leave of the Council, withdrawn.

Rai Bahadur Lala Sita Ram: I will make a little alteration in the figure. I move that the demand under "24B—Administration of Justice—Law Officers" be reduced by Rs. 3,000 instead of Rs. 6,000 under the salary of Personal Assistant to the Legal Remembrancer. My reason is that hitherto there used to be a senior Subordinate Judge on a pay of Rs. 1,000 a month who used to work as Personal Assistant to the Legal Remembrancer. This is no longer the case. I understand that a munsif is now working as Personal Assistant to the Legal Remembrancer and therefore the salary under this head cannot be a large one. It may be pointed out by the Government that if there is a reduction under this head, there will be a corresponding increase under some other head. I may point out that that contention will have no force, because there is

already a provision for the full cadre of judicial officers under the head Administration of Justice and this has not been accounted for there.

Mr. E. A. H. Blunt : I am quite prepared to accept the motion on behalf of the Government.

The motion was put and adopted

Rai Bahadur Babu Vikramajit Singh : With your permission I want to move only for a reduction of Rs. 15,000 in place of Rs. 83,650. I therefore move that the item of Rs. 2,83,650 (24B—Administration of Justice, for fees to Government Pleaders and occasional counsel in criminal cases) be reduced by Rs. 15,000 only. If honourable members will turn to page 46 of the detailed account they will find that a sum of Rs. 2,83,650 has been provided for fees to Government Pleaders and occasional counsel in criminal cases. I understand that this figure is composed of three items, namely, fees paid to Government Pleaders who are on the permanent staff, secondly, provision has been made for special counsel to defend those accused who are not in a position to defend themselves or engage lawyers for their defence, and, thirdly, the fees paid to the special counsel for prosecutions. It is the third item which I wish to attack. I submit that no special counsel unless in very exceptional cases ought to be engaged on behalf of the Government. I understand that a sum of Rs. 35,000 out of the total of Rs. 2,83,650 has been provided for special counsel for prosecution. It is unfortunate that the details of the item of Rs. 2,83,650 have not been given in the budget. If all these three items had been separately mentioned, it would have been easier for me to frame my motion correctly, but as it was given in one lump sum of Rs. 2,83,650, I wanted to move at first a reduction of Rs. 83,650. It appears to me not at all necessary for the Government to engage special counsel very frequently for prosecution. It might be argued on behalf of Government that they do it very sparingly and in rare cases, but I know of instances where in a very ordinary section 193 case or an ordinary section 384 case a special counsel was engaged although the Government Pleader was there. The Government Pleader is selected by the District Magistrate in concurrence with the Sessions Judge and at the time of selection very great care is taken to see that a competent man is appointed. When a competent man has been appointed, it seems to be absolutely unnecessary, and I think it is a waste of money to engage a special counsel, because the Government thinks that the accused will be well defended or defended by some counsel of eminence. I think that the prosecution should generally be left to Government Pleaders who are competent to look after their work, and a special counsel ought not to be engaged. I have not touched in this case the entire figure of Rs. 35,000, although I think it would not have been improper to delete the entire provision for special counsel. I have asked merely for a reduction of Rs. 15,000, which, I hope, the Government will have no hesitation to accept. It will be found that in some cases like the Imperial Bank fraud case the costs are met by the Government. I think the Imperial Bank is very rich and the costs could be met by the bank itself. Why should the Government spend its money where the case alleged is that the bank has been cheated and the bank is in a position to pay the counsel for prosecution? My object in bringing this motion is that Government should take particular care not to spend money unnecessarily on prosecutions where either the private party is in a position to pay the counsel or where the Government

[Rai Bahadur Babu Vikramajit Singh.]

Pleader is sufficient to conduct the prosecution. It will be remembered by this House that in the last Council at the time of the budget debate a motion was brought that money should not be spent unnecessarily on special counsel, and on behalf of the Government it was said that they would take particular care not to engage special counsel, but probably they think that if a special counsel is engaged locally they do not break their promise. They think they ought not to import counsel from another district, but they can very well avail themselves of the services of special counsel from that very district and engage him as a special counsel. I think it to be absolutely unnecessary to engage a special counsel in cases for the prosecution and the Government have not been taking particular care in not engaging a special counsel as it would appear from instances which can be quoted from various districts. I therefore move that a reduction of Rs. 15,000 be made under this head.

The Hon'ble the President: A motion for reduction of this demand by Rs. 50,000 stands in the name of Thakur Hanuman Singh. Does the honourable member agree to support the motion of Rai Bahadur Babu Vikramajit Singh, which asks for a reduction of Rs. 15,000 only, or wish to move his own motion?

Thakur Hanuman Singh: I agree to speak to the motion of Babu Vikramajit Singh. I give my whole-hearted support to the motion which has been moved by Rai Bahadur Babu Vikramajit Singh. In supporting the motion I do not wish to reiterate what he has said about special counsel. I will draw attention of the House to Government Pleaders, who are getting higher fees now than they used to get some time ago. A reduction in the fees of Government Pleaders has been recommended by the Economy Committee, but the Government could not see its way to accept that recommendation on the ground that if there is any reduction in their fees, Government Pleaders will resign and that Government will be deprived of experienced Government Pleaders. Well, Sir, I fail to agree with that view. It is not only the fee which induces pleaders to accept Government Pleadership but by doing so they improve their status and then more clients go to them than when they are not Government Pleaders. I do not think that any Government Pleader—there may be one or two, but that small number need not be taken into consideration—will think of giving up his Government Pleadership if his fee is reduced. I am quite sure that they will stick on to the post which they hold at present. There is one thing more which I wish to bring to the notice of this Council, viz., that District Officers are very liberal in fixing the fee of Government Pleaders. I remember a case—I do not desire to name the officer or the pleader who was engaged—in which a junior pleader was engaged on Rs. 50 per day in a civil case, though his income was not more than Rs. 200 a month. Such liberality is against the principle of economy. One might find it very easy to spend another's money, but when it touches his own pocket, he takes much more care about it. So I desire that the rate of fees of Government Pleaders existing at present should be revised for the sake of economy. There is another consideration also that there has been much improvement in the economic conditions of the country on account of cheapness of grain and other things and therefore there should be a decrease in the fees if not to the extent of

the old rates, at least to some extent, so that there may be some saving under this head. With these few words I support the motion of my honourable friend the representative of the Chamber of Commerce.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I am opposed to this motion, because I have already reduced the demand under this head to the possible minimum, looking to the present political conditions of this country. The United Provinces had to face many difficulties in the years that have passed for want of funds, and in spite of that we have provided only Rs. 35,000 for next year. I would have been too glad to accept this motion for reduction if it had been possible to cut it still. It would be safe, under the circumstances, to leave the amount as it stands.

Rai Bahadur Thakur Mashal Singh: I rise to give my whole-hearted support to the motion for a reduction of Rs. 15,000 moved by my friend Rai Bahadur Babu Vikramajit Singh. The motion comes from an unexpected quarter. He being himself a lawyer has recommended a reduction in the fees. On the other side the Hon'ble the Home Member who belongs to the landed aristocracy opposes it. There is a story that a photo of a lawyer was presented to a friend. The man to whom it was shown said that it could not be the photo of a lawyer. The other gentleman said "Why?" He said:—"He has both his hands in his own pockets. Had he been a lawyer, his hands would have been in another's pockets." Here I am glad to find on the contrary that the gentleman who has moved this reduction belongs to the legal profession. I find that, so far as the lawyers are concerned, the commodity in the market has increased; their fee should also decrease just as the number of lawyers has increased. I think there will be no scarcity of pleaders to accept briefs on behalf of the Government if the fee is decreased. For this reason I will support the motion which has been so ably moved by my friend.

Mr. H. David: I am a lawyer and belong to the same profession as the honourable mover. I do admire the magnanimity of my honourable friend in trying to touch his own pocket, but at the same time I think I shall be true to my professional genius. I do not know what was the amount voted last year for this purpose, but I think the amount of Rs. 35,000 spread over 12 months and for 48 districts will come to a very small figure for each district. It is true that we have got Government Pleaders but at the same time it is also true that those Government Pleaders are not the leading members of the district Bar. We have got brilliant geniuses as my friend Rai Bahadur Vikramajit Singh and others who could overcome them by their eloquence, by their tact and manipulations. So I think that it is but fair for the Government to have recourse to men of prominence in the Bar for feretting out criminals and ensuring that there should be no miscarriage of justice. The honourable member has referred to a celebrated sensational case that is going on here and he advocates that the cost of prosecution should be paid by the private party concerned. I think this goes against the principle of public justice. Government has to find out criminals and punish them, and it is Government's duty that this should be done at the cost of Government and the criminals should not be left to the weakness and kindness of the private prosecutor. Therefore, Sir, I do oppose this motion for reduction.

Pandit Nanak Chand : I have not been convinced by the remarks of the Hon'ble the Home Member. He has drawn the attention of this House to the fact that the present political difficulties do not enable the Government to accept this motion made by the mover. He has not taken this House into his confidence and has not pointed out what are the present difficulties in that respect, to a non-official mind, at least to my mind.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I rise to a point of order. I was just asking Mr. Blunt to reply in detail to the criticisms, but he was unable to catch the attention of the Chair, therefore Pandit Nanak Chand is criticizing the action of the Government in not giving details in reply. May I ask your permission to let Mr. Pullan, the Legal Remembrancer, explain the case ?

The Hon'ble the President : If Mr. Pullan rises in his place I will call on him to speak.

Pandit Nanak Chand : Shall I be able to continue my speech after Mr. Pullan has spoken ?

The Hon'ble the President : What I meant was that Mr. Pullan will be called on to speak if he stands up in his place after the honourable member has finished.

Pandit Nanak Chand : I was submitting, Sir, that the Hon'ble the Home Member has not enlightened this House as to what are the present political difficulties that the Government has in view. To me at least, Sir, the political atmosphere appears to be quite normal. At least I do not think that there is any immediate apprehension of criminal activities breaking out in any part of the province. Then the Hon'ble the Home Member was pleased to remark that there exists some suspicion that the Government may have to spend more money. Again, Sir, what are the facts which have led the Government to suspect that it may have to spend more money ? These facts have not been placed before this House. Therefore this House is not in a position to understand what the present difficulties about the political situation are which are apprehended by the Government, and therefore I do not find myself in agreement with him. My friend Mr. David pointed out that in many cases there are eminent and leading members of the Bar employed on behalf of the accused and therefore the Government should also on such occasions employ leading members of the Bar. I do not accept that as a correct guide for the Government. The Government has in every district a Government Pleader who has been selected for his ability and his integrity, and there are quite a number of cases when leading members of the Bar appear for the accused. But if the Government were to employ equally prominent members of the Bar then the charges under this head would go up to a very astounding figure indeed.

Another friend of mine has already referred to the present scale of fees. The Economy Committee has recommended that the scale be lowered to the previous one which existed before the present rates. The Government has not seen its way to accept that recommendation. I again wish to draw the attention of the Government to the desirability of reconsidering that recommendation of the Economy Committee. With these few words I support the motion of my friend the representative of the Chamber of Commerce.

Mr. A. G. P. Pullan : This item in the budget has been attacked on two grounds. The first attack is against the amount set aside for special counsel in criminal cases and the second attack deals with the general fee given to Government Pleaders. Now the attack on the amount given to special counsel goes to my heart, because, basing my estimates on the figures of the past three or four years, I reduced the probable expenditure from what I thought it was likely to be, namely, 70,000 to 50,000, and Mr. Blunt's drastic pencil cut out another 15,000, so that I have now only got 35,000. I am doing what I can and I assure you that the method I have adopted is one which will be conducive to all possible economy. In the first place, I think there is some misapprehension. It is generally supposed that the item for special counsel means counsel other than Government Pleaders. Now, Sir, the policy which we have now adopted is, if possible, to employ Government Pleaders on all big cases in their own districts and put in other men to officiate for them, if the work is so heavy that it is impossible for them to do the two things at once. There have been several such cases—prolonged trials for riots sometimes, and one case here, the Imperial Bank case—in which the local Government Pleader has been engaged, on a special fee no doubt, but a fee very much smaller than if we had engaged some prominent counsel. In this way we must make an allowance for special counsel because there are these cases to be considered. It is not, I think, that the Hon'ble the Home Member had any wish to say that we were budgeting for future riots, which had not yet taken place, but there are cases still pending which will go on till the next financial year, and these cases have to be budgeted for. The Imperial Bank case has, by no means, finished.

Mr. Mukandi Lal : Does it mean that Government Pleaders are incompetent?

Mr. A. G. P. Pullan : The Government Pleaders are competent and therefore we engage them to conduct these cases.

Mr. Mukandi Lal : In the existence of Government Pleaders how was it necessary to engage special counsel?

The Hon'ble the President : Better let the honourable member proceed. I will call on the honourable member for Garhwal in a moment if he wishes to speak.

Mr. A. G. P. Pullan : I am trying to explain that Government Pleaders are treated as competent men and so they are given these heavy cases, but a man cannot undertake to do a case which may go on for three or four months and at the same time conduct the multifarious duties of a Government Pleader. The Government Pleader has a great deal of work, both on the criminal side and on the civil side. Consequently one must engage special counsel, although there are actually Government Pleaders on the spot. And so I consider that this Rs. 35,000 is a paltry sum that has been given. I have reduced it as much as possible and how Government can reduce it any further I cannot see.

As to the remark that Government Pleader's fee might be reduced to the old scale or very nearly the old scale, I may say that the old scale was fixed in the year 1886. I think there are few members here who will say that the cost of living is the same now as it was in the year 1886, nor are the expenses of a person in the position of Government Pleader the same as they were in 1886. The districts were then divided into three parts, some on Rs. 25, some on Rs. 20 and some on Rs. 16. This was considered

[Mr. A. G. P. Pullan.]

very unequal and in the year 1913, possibly on the objection of the Government Pleader of Gorakhpur, who was paid Rs. 16 while the Government Pleader of Ghazipur was paid Rs. 20, that all the fees, except in the five bigger districts, were raised to Rs. 20. I, therefore, venture to think that an increase from Rs. 20 to Rs. 30 in the Government Pleader's fee is not out of proportion to the increases given in the case of Government servants. If the pay of the Government servants has not been reduced I do not see why the Government Pleader's fee should be reduced.

Thakur Hanuman Singh : I do not think there is any analogy between the two.

The Hon'ble the President : That is merely an argument. The honourable member should allow the speech to be finished.

Mr. A. G. P. Pullan : The fee of Rs. 30 a day is not considered an excessive fee, especially as I said we are trying to engage good men who will save us unnecessary expense under the head of Special Counsel.

The honourable member said that the Government Pleader gained very much in status and, therefore, might take up the post on a smaller fee. I do not know that the status of the Government Pleader has been altogether a very pleasant one. In past years I rather understood that the Government Pleader was very often subjected to a number of attacks and consequently his is not a very pleasant post.

Apart from that I should like to say that the Government Pleader's fee of Rs. 30 is not high in comparison with other pleaders. The Government Pleader is very often required in a sessions court to conduct about six criminal appeals in one day for a single fee. No other pleader would conduct six criminal appeals in one day for Rs. 30.

The Government Pleader is paid nothing for preparing the cases. Probably he may have an easy day periodically in the court, so much the better for him. But other pleaders also get such days. Another thing is he gets no *shukrana* which, I believe, is the practice. I am afraid that if you reduce the fee you will not get the best men and numerous resignations will follow. Even since 1920 we have had three resignations from Government Pleaders, all of whom resigned because they found it did not really pay them. One of these gentlemen has lately suggested that he should be engaged by Government on a fee of Rs. 125 a day and that would show how the fee of Rs. 30 is considered by them.

Mr. St. George Jackson : May I be allowed to say a few words about the Imperial Bank fraud case. I do not think my learned friend is aware of the history of this case before it came into court. The Imperial Bank tried so far as they could for their own purpose to investigate the fraud since March 1922, and they collected all the evidence they could in their books and from papers. After that they found that they could not get on without the aid of the Criminal Investigation department. The case was then made over to the Criminal Investigation department, but in the meanwhile the Imperial Bank had consulted the Advocate-General of Bengal and had taken other legal advice. The matter was placed before the late Legal Remembrancer in October last and then Government decided that the Imperial Bank case

should be conducted by a Government Pleader because they considered it to be a case of such magnitude and such importance that the Government ought to conduct the case as it thought fit. The Imperial Bank have been retaining counsel and have been doing their best to furnish all the expenses they could. The preparation of the documents, their copies and other matters, have cost the Imperial Bank a very large sum—very much more than the Government proposes. The Legal Remembrancer also entered into correspondence with the Government Pleader with regard to his fees and that, also after a certain amount of writing and replying, was settled at the present rate. I think if the honourable member had taken all these facts into consideration he would not, perhaps, have made those remarks about the Imperial Bank case and I would ask him to be good enough to accept this explanation.

Rai Bahadur Babu Vikramajit Singh: My honourable friend Mr. David, whom I would like to take up first, has declared himself to be a lawyer. Perhaps he thought that by declaring himself a lawyer he will get a better hearing, but he has to remember that he is a retired judicial officer.

Mr. David: I beg to explain that I have been allowed by the High Court to resume practice and I did resume practice.

Rai Bahadur Babu Vikramajit Singh: I am very glad to hear that Mr. David has resumed his practice, but I think it is as a matter of courtesy that he had had his name put down on the roll of practising lawyers. There is only one thing which would dispose of the whole argument of my honourable friend Mr. David that in the last year's budget a sum of Rs. 2,70,000 was budgeted under this head. This year we have got Rs. 2,83,650. The increase comes nearly to the reduction which I am demanding in this case; so that if my honourable friend had compared these figures he ought to have been satisfied that unless a special case was made out as to why the figure should be increased, the reduction that I was claiming was consistent and sound. My whole case, it appears, Sir, has been admitted by my honourable friend Mr. Pullan. He says that Government Pleaders are competent men, and that was my case that if they are competent men why engage a special counsel for prosecution at all. My complaint was, Sir, that Government was engaging a special counsel along with Government Pleaders or in substitution of Government Pleaders, although Government Pleaders were available, and I thought, Sir, that the Legal Remembrancer would give facts and figures in order to show that last year he did not engage a single counsel where a competent Government Pleader was available. It has also not been shown that if any counsel was engaged, it was only in political cases—as that is the contention of the Hon'ble the Home Member. As a matter of fact, it is neither political cases nor cases where Government Pleaders are not available that we find that special counsel are engaged, and I could cite instances where none of these tests would be found and special counsel were engaged. Then the honourable the Legal Remembrancer said that in the Imperial Bank fraud case he had to engage the Government Pleader as a special counsel at a higher fee. Of course the Legal Remembrancer has not mentioned the higher fee, but I presume the fee would be much higher than what he has been actually getting. This, too, really I cannot understand. When a Government Pleader is getting a certain amount of fee for the

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whole day is it not his business, is it not his duty, to conduct even heavy cases at the same fee, cases which go on from day to day? In fact when a case goes on for three or four months he will not be a loser. I submit if that is the practice which prevails it ought to be abandoned because it is an entire waste of money.

Then it has been suggested that the figure budgeted stands at a minimum amount because the figure is not larger than what it was last year. Our complaint has been year after year in this House that special counsel should not be engaged; and if the figure stands as it did I submit we have got every reason to bring a motion of this nature before the House, as we are not satisfied that economy has been effected in this instance.

Then in special circumstances, e.g., where there are any special political cases, supplementary estimates are brought and the Council sanctions them. For instance, you will find that in the Chauri Chaura case and the Saharanpur riot case supplementary estimates were brought forward and were sanctioned; but that does not mean that we would allow the sum of Rs. 35,000 to remain in the budget for the purpose of engaging special counsel.

In fact, the whole item is not being deleted; a sum of Rs. 20,000 is still being left in the budget, and that, I submit, Sir, would be quite enough; and that would be consistent also with the budget figure of 1923-24.

I may further be permitted to say that the Hon'ble the Home Member and the honourable the Legal Remembrancer have not replied to my remarks as to why counsel was engaged in the Imperial Bank fraud case when the Imperial Bank itself could very well engage counsel and run the case. But my honourable friend Mr. St. George Jackson has attempted to defend that position. He said that the Imperial Bank could not investigate the matter and it had to take the assistance of the Criminal Investigation department. I have no quarrel over that matter. So far as the Criminal Investigation department investigated the matter and put it in court they were perfectly within their jurisdiction and their assistance was rightly taken in the matter. But the question is, when the matter came to court, who should conduct the prosecution? If the Bank who were really defrauded of money were in a position to pay, I still maintain that they ought to have engaged their counsel; it was not necessary for Government to put the matter in the hands of the Government Pleader for a special fee; and the argument of my honourable friend Mr. Jackson did not convince me on the point. It does appear that special kindness has been shown to the Government Pleader by giving him a special fee to prosecute the Imperial Bank case.

Having listened to the arguments on behalf of the Government I think there is no other alternative for me but to place the matter before the House and ask the House to cut down the figure by Rs. 15,000.

The Hon'ble the President: The question is that the item of Rs. 2,83,650 under detailed account, "24B—Administration of Justice" for fees to Government Pleaders and occasional counsel in criminal cases be reduced by Rs. 15,000.

The motion was adopted.

The Hon'ble the President [referring to the motion mentioned below] To what item does this motion refer?

Thakur Jagannath Bakhsh Singh : To the establishment of a Chief Court in Oudh.

The Hon'ble the President : Yes.

Thakur Jagannath Bakhsh Singh : I move that the demand under "24—Administration of Justice—Judicial Commissioner" be reduced by Rs. 10.

From the nature of the reduction itself it would be evident to the House that I do not want any real reduction in the amount. What I want to bring for the consideration of the House by this motion of reduction is the important question of the establishment of a Chief Court for the province of Oudh. It would not have been necessary for me to bring this matter for the consideration of the House had it not been for the fact that the Economy Committee has given its verdict against the scheme. We, the people of Oudh, Sir, are very sorry to see that such an important demand of the province of Oudh has not been favoured by the Economy Committee.

With due respect to the experience of the officials on the committee, and particularly the experience and ability of the chairman of that committee, I beg to say that, had there been any member of the province of Oudh on the Economy committee, I think there would have been a page, or more, of his note of dissent on this subject. But that report having been completed and fortunately the Government not having accepted the proposal of the committee it is not necessary for me to deal with that question now at any length. At the same time I would not enter into the long history of the subject, nor would I enumerate how the Government came to this decision for the province of Oudh. But I would say that the people of Oudh had expected the establishment of a Chief Court much earlier. Unfortunately even today the prospects are not very bright of our having a Chief Court in the immediate future. Before the increase in the court fees took place in the shape of the Court Fees Act we were assured that the establishment of a Chief Court was to take place at a very early date. Last year in the budget there was a provision and there was also a reference, a very important reference, that the Chief Court would be established as soon as the Government were in a position to do so. This year I am thankful for the assurance of the Hon'ble the Finance Member that the matter has been sent up to the Government of India and that the reply of the Government of India is awaited. Again we have got a similar reference to the Chief Court in this budget. But these assurances, Sir, do not assure us very much, and I hope the question of the Chief Court will not as visionary in the future as it has remained in the past. It is with this object that I gave notice of this motion and I would request Government to expedite the establishment of a Chief Court as soon as possible. It is no favour that we, the people of Oudh, seek at the hands of the Government. It is fair dealing that we want; it is justice that we want; the same justice that has been extended to our sister province of Agra under the High Court. We do not envy them. But certainly we do want to follow them and we want the same privileges and the same justice to be extended to us. I need hardly commend this with any other remarks by taking further time of the Council as this question is equally in the minds of the Government and the non-official members of this House.

The Hon'ble the President : There is a second proposal in the name of the honourable member.

Thakur Jagannath Bakhsh Singh : That deals with a different subject. Shall I join it with this ?

The Hon'ble the President : Yes.

Thakur Jagannath Bakhsh Singh : The second point that I want to refer to in the motion which I join now with this speech is the question of recruitment of Rajputs in the judicial service. It was as late as 31st March—

The Hon'ble the President : Has it anything to do with the Judicial Commissioner ?

Thakur Jagannath Bakhsh Singh : I thought, Sir, that the matter was referred once to the Judicial Commissioner and it was that Court which has not paid sufficient attention to the matter and so I thought I had better connect it to that item. It was as late as 31st March, 1921, that I moved a resolution in this House about the recruitment of Kshatriyas in the judicial service. It was accepted in a way by this House and it was unanimously supported by the Kshatriyas and the non-Kshatriya members of this House with a few exceptions. It was also accepted by the Government, the Chief Secretary saying that the matter would be referred to the Judicial Commissioner of Lucknow and to the Hon'ble Judges of the High Court at Allahabad. As far as I know the matter was referred to both the courts, but what was the result ? In reply to my questions and those of the honourable member for Hardoi we were told that there were 13 Rajput candidates since the time I moved my resolution and that out of those 13 five were taken. Out of these five, four were appointed in the Agra province and one in Oudh. We may not have a very strong case for Agra, but certainly as regards Oudh we have a complaint that only one Rajput was appointed during the last two years. There are 62 appointments and out of these only one was given to a Rajput. I have no desire to referring to any communal question in this House, but I do not find any other way how to refer to it. Considering the importance and status of that community, I think it should be given sufficient representation and the Judicial Commissioner must again be approached on the subject. With these words I move this motion.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : As regards motion No. 14, moved by my honourable friend, Thakur Jagannath Bakhsh Singh Sahib, I beg to submit to this Council that the delay is due to unavoidable circumstances over which we had no control. We have already sent two reminders to the Government of India (I repeat what I have already stated in this House). We are still waiting for a reply. I understand that it will not take much time now. As soon as the scheme is approved by the Government of India and the Secretary of State, a Bill will be introduced in this Council for the establishment of a Chief Court in Oudh. Any going back on the part of this Government is out of question. We have committed ourselves definitely, and the Secretary of State and the Government of India have agreed to this and so there is no difficulty about it. The Bill, I hope, will be brought in

July or in the next autumn session. Our desire to bring the long-delayed reform into force as soon as possible is clear from the fact that we have already included an item in the budget for taking prompt action.

As regards motion No. 15, I fully sympathize with the honourable mover and I promise that the proceedings of this debate will be sent to the Judicial Commissioner for consideration.

Rai Bahadur Thakur Mashal Singh : As regards the establishment of the Chief Court in Oudh, the reply given by the Hon'ble the Home Member on behalf of the Government is quite satisfactory, and I do not think it is at all necessary for me to say anything on the subject.

With regard, however, to the recruitment of Rajputs to the provincial judicial service, I wish to make a few observations. The honourable mover has mentioned that in the course of the last two years only one Rajput has been appointed to the judicial service ; but I am rather inclined to think that since the establishment of the Judicial Commissioner's Court nobody has been appointed except the one mentioned by the honourable mover. We do not wish that any special favour should be shown to the Rajputs ; I am quite against it ; but certainly we want that we should be represented on the cadre in proportion to our numerical strength in the province and the revenue we pay to the Government. On previous occasions also, whenever this question has been brought to the notice of the Government, we have been told that the matter will receive consideration at the hands of the honourable the Judicial Commissioner, but so far I am sorry to say that no consideration has been paid to it. I would respectfully ask the Government to consider our claims on the subject so that we may have no reason to complain in future.

Thakur Hanuman Singh : I rise to make a few observations regarding the speech made by Thakur Jagaunath Bakhsh Singh. I am quite at one with him in his desire to see that the Chief Court is established in Oudh but in my humble judgment it should be held in abeyance until the financial situation has improved. With proposals for heavy taxation hanging on our head I would desire that the establishment of the Chief Court be postponed for another two or three years. Justice will not help to increase our welfare. Our first consideration should be to develop the nation-building departments, and when we have done so, we should look to the need for the better administration of justice.

With regard to the appointment of Rajputs to the judicial service, I should like to submit that we feel very deeply concerned when we find that very few members of our community have so far been appointed to that service. This matter has been brought to the notice of the authorities by this Council several times, but it appears that sufficient attention has not been paid to it either by the Hon'ble the High Court or the Judicial Commissioner of Oudh. If our political and social importance as also our numerical strength in the province are taken into account, we certainly deserve better consideration than what has been meted out to us so far in the matter of appointments to the judicial service. I, therefore, hope the Government will see its way to remove our legitimate grievance by appointing a sufficient number of Rajput candidates when the time for new recruitment comes as the result of the increase in the cadre of the judicial service.

Nawabzada Muhammad Yusuf : The learned mover seems to labour under a false impression. He seems to think that the Economy Committee was totally opposed to the idea of establishing a Chief Court for Oudh. Let me assure him that the committee never entertained such an idea. The only reason why they suggested that the establishment of the Chief Court should be postponed was the financial condition of the province. They said that the financial position of the province did not allow them to launch upon any new expenditure. I may assure the honourable mover that although there was no member of Oudh on the committee yet the interest of Oudh was perfectly safeguarded by those who were on the committee and we fully realized the duties and responsibilities of this province of Oudh. I hoped that he would have been more charitable and said that he reposed sufficient confidence in the personnel of the committee and that the interests of Oudh were perfectly safe in their hands. With these remarks I support the motion.

The motion was put and negatived.

Maulvi Abdul Hakim : I move that the demand of Rs. 1,22,700 under head "24E—Administration of Justice Civil and Sessions Judges" be reduced by Rs. 10. My object in moving this motion is to bring to the notice of the Government a long-standing grievance of the Basti district, namely, the want of a district judgeship at Basti. You are aware that the district of Basti is one of the biggest districts in the United Provinces, in fact it is the second biggest district in population and revenue, and yet you will be surprised to learn that it has not got a separate judgeship of its own. The people of Basti have been trying to secure a judgeship for their district for the last 10 or 12 years ; but, beyond getting certain vague promises form time to time, they have not so far been successful. I will briefly tell you the history of this agitation and then you will be in a position to decide about the motion that I have brought forward. In the year 1911 or 1912 an additional judge was appointed for the Basti district who did the sessions work and also the civil work besides hearing criminal, revenue and civil appeals. In 1913 the additional judge was removed to Gorakhpur and in his place was appointed a subordinate and assistant sessions judge. The civil work of the district of Basti was more than a single sub-judge could cope with and the result was that very soon after an additional sub-judge was appointed to that district. For the last several years with the exception of a short interval two sub-judges have been working at Basti. Now the present arrangement is this. All appeals civil, criminal and revenue, of the district of Basti are filed in the court of the district judge at Gorakhpur and they are tried there. This arrangement has caused much hardship and inconvenience to the people of Basti. The people of Basti made several representations to the Government and the High Court. The High Court also did not like this arrangement and moved the Government to establish a separate judgeship at Basti. This was probably in 1920. In 1921 my predecessor in this Council put a question with regard to this matter. His question was this—

"From what date will the Basti district have a separate judgeship?"

In answer to that question the Government said :—

"A separate judgeship cannot be established at Basti until the necessary buildings are completed and so we cannot safely say when it will be possible to appoint this judge."

Three years after this date, in January last, I put similar questions and obtained similarly vague answers. I refer to question No. 7 of the 27th February, 1924. The question was—

“Has there been any correspondence between the High Court and Government about the establishment of a judgeship at Basti?”

In reply to this Government said:—“Yes.”

My second question was: “If so, to what effect?”

The reply of Government was:—“Government have accepted in principle the proposal to create a separate judgeship at Basti.”

My third question was whether in this year a judgeship would be established at Basti. The Government in reply said “No.” My fourth question was whether the Government was aware that the new civil court buildings together with the old sessions house at Basti were quite sufficient for the establishment of a judgeship and that a suitable bungalow was available for the residence of the judge. The Government replied that the minimum accommodation required would not be available until additional court-rooms and a record-room had been constructed, and that the old sessions house would be pulled down as soon as the work of building additional court-room was started. The reply also stated that a bungalow was available for the residence of the judge. So from these replies the natural inference is that in this year, that is in the year 1924, a separate judgeship cannot be established at Basti. Then, after the budget was presented, I went through it but found that there was no provision for the cost of buildings to be constructed in this connection. It, therefore, seems that even in the year 1925 there is no chance of separate judgeship being established at Basti. My object in bringing this motion is to request Government that the completion of necessary buildings should be expedited. I have also to make two specific proposals in this connection, and if any one of these is accepted, the grievances of the people of Basti will be remedied and they will be satisfied, but before I put forward these specific proposals I would like the House to be in possession of two important facts. The first fact is that the work of Basti is more than enough to keep a judge fully engaged. There are two subordinate judges in Basti and there are no less than ten magistrates and assistant collectors of the first class. The appeals from these twelve courts are quite sufficient to engage the whole time of a judge. In fact one of the additional judges at Gorakhpur has been doing principally the work of the Basti district. The second point I would like the House to bear in mind is that this additional judge of Gorakhpur comes to Basti every month almost for a week to do sessions work. When these two facts are borne in mind by the Council I think the honourable members will agree with my proposal which I am going to put forward. My first proposal is that, pending the completion of necessary buildings, the additional judge at Gorakhpur, who does the work of Basti, be ordered to hold his court at Basti. If he is ordered to hold his court at Basti there will be no difference in cost and the people of Basti will be satisfied. It might be said that there is no accommodation, but I say that there is. The present sessions house is quite sufficient to accommodate him and his staff and as a matter of fact when he comes to do his sessions work with his staff at Basti, he finds that house very comfortable. Even if that building is demolished, there will be enough accommodation for the

[Maulvi Abdul Hakim.]

additional judge and his staff. In the new civil court buildings there are, at present, some vacant rooms, and these rooms will be quite sufficient for his court and for his office. It is also said that there is no record-room at Basti. In the new civil court buildings there is a small record-room quite sufficient to contain files of twelve years' standing. So pending the creation of a permanent judgeship there it will be quite convenient for the additional judge of Gorakhpur to hold his court at Basti. If this suggestion of mine is not accepted, then I propose another suggestion and that is quite consistent with justice and commonsense. The additional judge of Gorakhpur mostly does the work of Basti. Often he spends one, two or three days over the work of Gorakhpur. He may be asked to sit at Basti and do Basti work there, but if he has spare time, he may go every month, say for three days, to Gorakhpur to relieve the district judge of his heavy work. If this proposal of mine is accepted, then the additional judge will do Basti work at Basti and Gorakhpur work at Gorakhpur and there may also be a saving because whenever the additional judge comes to Basti for sessions work he brings his staff and they have to be paid travelling and halting allowances. I, therefore, submit that it is time that Government should consider the last two proposals put forward by me today. If Government accepts any of these proposals I am quite sure that it will not have to face any difficulty, the administration of justice will be properly carried out and the grievances of the Basti people removed. I, therefore, submit this motion for the consideration of the House.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I am in full sympathy with the demand of the honourable mover. Unfortunately under the present unfavourable financial conditions we could not carry out the proposed reform. We will consider the appointment of a separate whole-time district and sessions judge for Basti as soon as financial conditions permit.

As regards his proposal to ask the sessions judge of Gorakhpur either to go himself to the Basti district or depute the additional sessions judge, the Government will consider the question, and I assure the honourable member that both of his proposals will, after consultation with the sessions judge, be examined.

Pandit Nanak Chand : I want to make an inquiry from the Hon'ble the Home Member. From the speech of the honourable member for Basti I understand that there is a sessions house at Basti which the Government propose to demolish, and I also gather from his speech that it is a spacious building. I would like to know the circumstances which require its demolition and if the building can be used for any purpose in connection with the judge's court, whether the Government will reconsider the proposal of demolishing this house.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : We will examine every aspect of this question. The Government's reply to the unstarred question was that the record-room and the rooms for the accommodation of the judge and the munsif are not enough. The building is to be demolished as it is tumbling down. Thus it would not be safe on the part of the Government to agree to this proposal at present, but as soon as the financial conditions will permit, it will look into the whole matter.

Maulvi Abdul Hakim : Sir, in view of the satisfactory answer of the Hon'ble the Home Member, I beg to withdraw the motion.

The motion was, by leave of the Council, withdrawn.

Pandit Nanak Chand : I move, Sir, that the demand under 24E—Administration of Justice—Allowances be reduced by Rs. 5,000.

The honourable members will find at page 48, under the head travelling allowances, the figure budgeted for the next year is Rs. 61,610 as against Rs. 70,000 revised estimate for the present year. I think that under this head the Government places more money than is necessary at the disposal of the High Court and the result is that there are many and frequent transfers of the judicial officers. I wanted to draw the attention of the Government to these frequent transfers. During the last two years for which the Sessions and the judge's court has been in existence at Bulandshahr there have been frequent transfers and in the case of at least two officers the periods were ridiculously short. In the case of one officer it was about a month and in the case of another officer it was between two and three months. Of course I do not wish to interfere with the discretion of the Hon'ble High Court, but I wish that the Government may be pleased to draw the attention of the High Court to minimize the frequency of transfers of these officers so that there might be some saving under this head as well as some continuity and fixity of duration of the period of these officers.

Mr. E. A. H. Blunt : I will not say that a considerable portion, but certainly a portion of this allotment does go in transfers; but that is not the main object on which this money is spent. A very large part is due to cases, such as have been mentioned by the honourable member for Basti, where the Judge has to take himself and his whole court to another district to hold sessions there—that accounts for a very large part of this money. Apart from that, there are expenses of movable courts who go for three months to one place to clear up arrears and then move on to another place to clear up arrears there. So the amount spent on transfers, unless the honourable member means the movements of the movable courts, is not very large. Also, I may point out that it is to be hoped now that the cadre has been so largely increased that transfers will diminish in number. At the same time I would ask the honourable member not to press this motion. The figure last year was Rs. 70,000. The actuals of 1922-23 were Rs. 68,000. When the budget first came up they asked for Rs. 70,000. I reduced that to Rs. 65,000 and as a result of changes made in travelling allowance rules it has now come down to Rs. 61,000. I do not honestly think that it can be further reduced. If I thought it could be I would be the first to recommend a reduction to the Hon'ble the Finance Member, but I honestly do not think this possible.

Pandit Nanak Chand : May I make an inquiry as to whether the Hon'ble the Finance Member will draw the attention of the High Court to this question of frequency of transfers?

The Hon'ble Mr. S. P. O'Donnell : I think the honourable member will realize that that is a very delicate matter. The High Court transfers these officers according as the exigencies of the administration seem to require, and I think he will agree with me that any suggestion on our part that the High Court is not doing its work properly might be resented by the Hon'ble Court. I hope he will not press me to take that line.

Pandit Nanak Chand : I do not wish to press the motion. The motion was, by leave of the Council, withdrawn. The Council then adjourned for three-quarters of an hour. After the adjournment—

Pandit Nanak Chand : I move, Sir, that the demand under “24E—Administration of Justice—Supplies and Services” be reduced by Rs. 4,000.

If the honourable members will turn to page 40A of the detailed estimates they will find under the head “Remuneration to examiner of questioned documents and his assistant.”

The Hon'ble the President : The motion refers to the item of Rs. 8,000 ?

Pandit Nanak Chand : Yes Sir.

This item was a new item which was introduced in the budget estimate of 1923-24 because I do not find under this head any reference to such an item for the years 1920-21, 1921-22, 1922-23. The sum budgeted last year was Rs. 8,000, of which it appears, according to the latest revised figures given in this statement that only Rs. 4,000 will be spent during this year. It is again proposed to provide Rs. 8,000. I think it is too much in the light of the revised estimate for the present year, and I think the Hon'ble the Finance Member will accept this reduction.

Mr. E. A. H. Blunt : The House may not be aware perhaps that this examiner of questioned documents is the gentleman who was formerly called the Handwriting Expert. Why they changed his name I do not know. He is an officer of the Central Government, and two years ago the Central Government told us, very naturally, that we should have to pay whenever we used his services. We did not know the average number of documents which might be questioned during the year and put Rs. 8,000 at a guess. Rupees 4,000 is the revised estimate. As a matter of fact I see that in the first six months of 1923-24 we seemed to have spent under this head *minus* 91 rupees. I do not know how we did this—apparently we charged the Handwriting Expert for doing his work. I am quite prepared to accept this reduction of Rs. 4,000.

The motion was put and adopted.

Rai Bahadur Babu Vikramajit Singh : With your permission I would like to move a reduction of only Rs. 5,000 under this head. I beg to move that the demand of Rs. 15,000 for improvement of court compounds be reduced by Rs. 5,000. If honourable members will turn to page 49 of the detailed estimates of provincial subjects, they will find that Rs. 15,000 have been provided for improvement of court compounds. No other details are available as to where this money is going to be spent. I presume that this sum has been provided for lawns in the court compounds or for maintaining gardens. Judging from my experience of Cawnpore courts where neither a lawn nor a garden exists, I was at first of opinion that the whole of this Rs. 15,000 be deleted. But, on further consideration, I only ask for a reduction of Rs. 5,000. The Government will be able to give us further details as to where this money is going to be spent. I think, considering that this is a year of financial stringency, we should not spend more than Rs. 10,000 this year. If by next year finances are improved, we may be able to provide a larger sum. I hope the Government will be able to accept this reduction as no definite details are forthcoming about the expenditure of this item.

Mr. E. A. H. Blunt : This particular item of Rs. 15,000 is, as a matter of fact, covered by the receipts on the other side. If honourable members will look at page 13, the last line, they will find "Fees for licence for the vend of food, etc., and sale-proceeds of produce, etc., of civil court compounds, Rs. 15,000." The practice is that any sum received from these fees is allotted for the improvement of the compound. I do not think the sum is too large for the improvement of the compounds of every civil court in the province. I understand that it is spent on clearing away dead wood, sweeping up leaves and generally keeping the place neat and tidy. However, there is no objection so far as we are concerned to spend only Rs. 10,000 for cleanliness. It is not we who suffer; it will be members of the bar like the honourable member himself.

I would like to remind the honourable member, incidentally, that a few years ago he wanted to spend this money on Barristers' Chambers, which he regarded as an "improvement."

Rai Bahadur Babu Vikramajit Singh : We will build our own.

The motion was put and adopted.

Rai Bahadur Lala Sita Ram : I move that the demand under "24E—Administration of Justice—Civil and Sessions Judges—Subordinate Judges" be reduced by Rs. 30,000. If honourable members will turn to page 49 of the detailed estimates they will find two items—one an item of leave allowance. According to the budget estimate of 1923-24 the leave allowance under miscellaneous allotment was Rs. 10,000, by some mystifying process perhaps based on actuals, as Mr. Blunt will say, this item was raised from Rs. 10,000 to Rs. 15,000. Lower down, this particular item of "leave allowance" has been raised from Rs. 10,000 to Rs. 30,000. So that there is a net increase of Rs. 40,000 plus Rs. 20,000, i.e., Rs. 60,000. I may say that being one of those who have drawn attention more than once to the inadequacy of the cadre of the Provincial Judicial Service and to the overwork to which they are subjected, I am not inclined to cavil at all at the increase which has been provided in the budget. And that is why I do not object to the salaries of subordinate judges. My only objection is to the provision of the head under leave allowances. I hope Mr. Blunt will be a little responsive here too.

Mr. E. A. H. Blunt : This is a question very largely of figures. I have sworn a solemn oath that I will not try to explain figures in the Council. I spoke to the honourable member on the subject; we have gone through the figures together and I have come to the conclusion that on this motion coupled with his motion for Rs. 25,000, No. 25, Government will be prepared to accept a cut of Rs. 18,000 on the two together. I do not very much mind whether we take Rs. 10,000 here and Rs. 8,000 there or Rs. 8,000 here and Rs. 10,000, there, but I think, however, if he has no objection, it will be better to take Rs. 8,000 here and Rs. 10,000 on the next one. I am ready to accept a reduction of Rs. 8,000 here and I would beg to move that amendment.

The amendment that Rs. 8,000 be substituted for Rs. 30,000 in the original motion was then put adopted.

The motion, as amended, was then put and adopted.

Thakur Hanuman Singh : I rise to move that the demand of Rs. 5,02,640 (24E—Administration of Justice—Sessions and Subordinate Judges) be reduced by Rs. 13,000.

In bringing this motion forward I desire to say that if the increase as has been proposed in the budget, is allowed to pass, it will raise the expenditure on justice. Nobody can say that there is no real need for such an increase; but considering the stringency of the finances I desire to say that the increase should be gradual. If the amount provided for the increase in the number of subordinate judges be reduced by Rs. 13,000 that will still leave sufficient money in the hands of the Government to appoint about two-thirds of the increase proposed.

[The Deputy President here took the Chair.]

There is a very laudable idea behind this proposal, but considering the financial situation it does not appear to me to be very reasonable. Projects which are intended for some improvement in one direction or another are taken gradually, so the increase in the cadre should also be taken gradually.

With the increase which the Government will be able to make with the residue after this cut has been made I think the work will be done more speedily and more expeditiously than at present, and the present officers will appreciate the relief that they will get. At the same time, I must say, Sir, that the number of holidays which judicial officers enjoy is, to my mind, very large; that number may be curtailed to a reasonable extent. I think my motion is based on common sense and reasonableness and I hope my honourable colleagues will support me, and what I have said will convince them that if two-thirds of the proposed increase is made in the present cadre the demand will be very much met.

In this connection I wish to place before the Council the wishes of my constituency, i.e., the people of Ballia—that the subordinate judge's court of that district should be made permanent. For about two years one subordinate judge has been working there, and I think he has hard work. If the court is made permanent I think it will give a great relief to the people of that district.

Khan Bahadur Maulvi Fasih-ud-din : I wish to say just a few words in support of the motion that has just been moved by my honourable friend the member for Ballia. I think we should confess that the members of the judicial service are really over-worked; at the same time, I am afraid this large increase in the cadre is rather suspicious. And one or two contingencies can possibly be imagined—either the authorities of the judicial department have been sleeping over the matter for a long time and have been allowing arrears to accumulate to such a degree that they now find it necessary to increase the cadre by ten subordinate judges and 27 munsifs or that they are on the side of liberality in this particular respect. I think the matter deserves the serious consideration of the Government, specially when the condition of our budget is to be considered.

Pandit Nanak Chand : I regret to have to differ from the mover of this motion. It was on account of the financial stringency that this proposal was shelved several times during the last Council. It is admitted even by the mover and his learned supporter that the judicial officers are over-worked. The only point where they differ is this; they think that the number is in excess of the demand.

Thakur Hanuman Singh : It is not my meaning, Sir. I meant that the increase should be gradual.

Pandit Nanak Chand : I am thankful to the honourable mover for his correction; he has admitted that the number is not in excess of the demand. What he means to submit to this honourable House is that this increase, however necessary it may be, should be made gradually and spread over a number of years.

Thakur Hanuman Singh : At least for a year.

Pandit Nanak Chand : This honourable House has to take into consideration the fact that these judicial officers are doing quite unostentatious work, putting up hard and solid work and some times even sacrificing their health, some times working till late in the evening and some times taking files to their homes. I do not think that it will be in the interests of the judicial service or in the interests of the civil court litigants that this motion of reduction in the demand should be accepted. I think the number proposed to be increased is the barest minimum and this is also the opinion of the late Council and the late Finance Committee. If you have a smaller number of judicial officers it means that you cannot dispense justice with the speed with which you ought to. Last year this Council gave its consent to the passing of the Court Fees Bill and the amount of court fees was enhanced. And yet the litigant public, which pays this handsome contribution in the form of court fees is not given this barest of relief to which they are entitled. I think my friend the honourable mover will see his way to withdraw his motion and will not press it.

As regards the number of holidays the Economy Committee has recommended that the number should be curtailed. I believe the Government has referred that matter to the Hon'ble the High Court and therefore it will take some time for the Hon'ble the High Court to come to a decision. I think this honourable House will not be justified in making a reduction under this head on the ground of the possibility of the holidays being reduced.

Incidentally, I believe the honourable mover referred to the question of the ordinary subordinate judge's court at Ballia being made permanent. I think in view of the financial stringency it is quite possible that this question of permanency may have to wait for some time.

Thakur Hanuman Singh : It has already waited a long time.

Pandit Nanak Chand : I think, Sir, that the number of officers proposed to be increased is not large and I trust the honourable member will see his way to withdraw his motion.

Rai Bahadur Thakur Mashal Singh : I oppose this motion on three grounds. One is that justice ought to be administered free. The second ground is that litigants who pay for justice must get it in time. Justice delayed amounts to justice denied. If you will refer to page 77 of the Economy Committee report you will find that the revenue from judicial stamps and court fees amounts to Rs. 1,81,73,000 while the expenditure on law and justice amounts to Rs. 67,60,000. So there is a profit of Rs. 1,14,13,000. The Government make this large profit out of this department of law and justice. When the litigants pay for the justice which they seek from the courts, there is no reason why that

[Rai Bahadur Thakur Mashal Singh.]

justice should not be given to them in time and should not be given fully. This is the most important point to be considered by the Council. These litigants pay for the justice which they ask from these courts and the amount which they pay comes to more than what is spent by the Government on the department of law and justice. So I think there is no justification for the reduction of any amount from the allotment which has been made in the budget for the increase of the judicial cadre. The other point is that the heavy work which is now exacted from these judicial officers goes to a great extent to shorten their lives. Judicial officers are seen to die sooner than the officers of other departments. It is for this reason also quite necessary that the allotment which has been made in the budget must be sanctioned. We have been repeatedly requesting the Government to increase the cadre and it is not proper for us to go back upon our own demand. For these reasons I am constrained to oppose the motion of my honourable friend the mover.

Rai Bahadur Babu Vikramajit Singh: It is my misfortune to differ from my honourable friend Thakur Hanuman Singh. As a practising lawyer I know the difficulties of this department and I think that the provision that has been made in the budget for increasing the cadre of the judicial officers is not at all excessive. It must not be understood that this increase is made in the interest of the judicial service. It is really made in the interest of the litigant. The litigant has a right to get his case as quickly disposed of as possible. We know that in many districts the cases before the subordinate judges take as long as two years for disposal. Then the appeals take as long as eighteen months or two years for disposal, and the House is aware that a Civil Justice Committee is sitting for considering the question of delays. It is absolutely essential that the number of judicial officers should be increased, so that the arrears may be cleared. It is admitted that there are huge arrears—whether it is due to the paucity of the number of judicial officers or whether it is due to any other reason it is not necessary at present to discuss. The question really is whether there are huge arrears and whether those arrears should be cleared as soon as possible. I think, Sir, that there is a good deal of income from that department and it is necessary that a larger portion of the income should be spent on the administration of justice from which the income is derived. Consequently I cannot agree with the honourable mover or with his learned supporter that there should be a gradual increase. This increase, I submit, is essential in the interest of the administration of justice. As has been rightly remarked, delay in the disposal of a case some times means a denial of justice. Therefore I oppose the motion which is before the House, and I would ask the honourable mover that he should not press this motion. As we are all aware, there is a great necessity for increasing the judicial cadre.

Rai Bahadur Lala Sita Ram: I occupy quite a curious seat in this House, where I have on my left and right two practising lawyers and there is a redoubtable champion of the provincial judicial service in the person of Mr. David at my back. So I have not the courage, even if I wanted to, to support the motion that is before the House, and I must oppose the motion of Thakur Hanuman Singh Sahib.

The question of holidays has already been dealt with by my friend Pandit Nanak Chand. That was a recommendation of the Economy

Committee and I daresay it will receive the consideration of Government. There is not only the question of curtailment of holidays in the subordinate courts but we also want a curtailment of holidays in the High Court itself. Perhaps the honourable mover knows that on account of these holidays and a month's vacation the subordinate judges and munsifs are not any the better. On the other hand, just because of this reason, they suffer in the matter of privilege leave and casual leave, and cannot get either on full pay. However, be that what it may, the fact remains that this increase in the cadre has been long overdue. For the last two years or more we ourselves in this House have been asking for an increase in the cadre. If I mistake not, provision was made in the budget of 1922, but it was cut out on the ground of financial stringency. The High Court have, in their civil statements year after year, been remarking on the insufficiency of the cadre, almost clamouring for an increase in it. So it is not right to say, as my friend Khan Bahadur Maulvi Fasih-ud-din has remarked, that the High Court have been sleeping over the matter for such a long time. In fact they have been agitating for it for a long time.

There is another question, Sir, which the House should not neglect in this connection. I find from the statement issued by one of the subordinate judges in these provinces that the number of suits instituted rose from 80,184 in 1870 to 95,573 in 1900, and reached a total of 1,58,363 in 1920. The average duration of a contested suit has also increased from 97 days in 1870 to 202 days in 1920 in a judge's court, from 69 to 196 days in a subordinate judge's court, from 40 to 106 days in a munsif's court and from 9 days to 58 days in a small cause court. That being the state of affairs, I submit, as my friend Rai Bahadur Babu Vikramajit Singh has already remarked, justice delayed is justice denied. From the figures that I have just given honourable members will find that of late there has been a great rise in the number of suits instituted, but has there been a proportionate increase in the cadre of the judicial service? It has not been, and then what is the result?

We find that on account of the over-work to which these subordinate judges and munsifs are subject, their lives are necessarily shortened; as has been rightly remarked by Rai Bahadur Thakur Mashal Singh.

If we look to the latest Civil List, we find that the insufficiency of their cadre is writ large there. In the Province of Agra, in addition to a cadre of 86 munsifs, we find that 21 are probationary munsifs. We had no less than 14 officiating subordinate judges. The case is essentially the same in the Province of Oudh where 6 men were acting as munsifs on probation and 6 as subordinate judges. The fact that so many munsifs have had to be on probation and so many given officiating chances as sub-judges shows that there is need for an increase in the cadre. I know of men who had joined the service in 1921 in Agra but who have not yet been made permanent, although they have been there for over three years. If any honourable member challenges this statement of mine, I can give him names.

My friend Thakur Hanuman Singh, I know, does not object to the increase in the cadre, but he says that it should be spread over a number of years. The increase should have been given last year. It was not. To delay the increase further—an increase which is only a small one—is

[Rai Bahadur Lala Sita Ram.]

hardly right. My friend Thakur Hanuman Singh will remember that last year in reply to a question of mine Government said that there were several courts in these provinces which had gone for months without a presiding officer. Is it creditable to any Government? Is it creditable to this Council? I think not. I therefore think that this increase should not be objected to.

Maulvi Abdul Hakim : I must oppose the motion which has been brought forward. I want to place a few facts before the Council from the budget estimates. From page 10 of the detailed estimates under head VII it will be seen that we derive Rs. 1,96,17,000 by the sale of stamps. Again, from head XVII it will be found that we realize on account of administration of justice Rs. 12 lakhs. In other words we realize 2,08,00,000. From the budget it will be found that only 17 lakhs is the expenditure budgeted for, so that we are going to realize more than three times what we are going to spend upon the judiciary, taking into consideration the increased cadre. Under such circumstances I think we should not press for a reduction of the demand under the judicial head. Then again my friend has referred that the civil vacation should be curtailed. I think my friend will realize that the subordinate judges and munsifs are very hardworked and perhaps it was the comparatively easy life of the honourable mover and the seconder as magistrates that they did not realize the situation. So I will suggest to the honourable mover and the seconder to take into consideration the hard work that subordinate judges and munsifs have to do, and in view of that I would suggest that he should not press his motion.

The Hon'ble Mr. S. P. O'Donnell : I wish to offer a few remarks on this subject, because last November I had a long discussion regarding the High Court. The High Court specially asked me to discuss the matter with them because the provision of funds was the main difficulty. At the end of that long discussion extending over two hours I was constrained to admit that the increase was necessary. The High Court pointed out that a large number of officers are at present so overworked that they are unable to do justice to their cases. Many cases are not tried as they ought to be tried and in a very real sense of the word justice has been denied. I do not know on what ground the honourable mover questions the precise increase in the cadre which we have included in the budget. I do not know whether he has made any detailed calculation of the number of suits to be tried and the number of officers available. If he has made such a calculation he has not thought fit to give us the benefit of it. But the High Court did make an elaborate and full calculation, and that calculation shows that the increase proposed is not excessive. On the contrary it is a very modest increase. It represents the bare minimum required. As Rai Bahadur Lala Sita Ram has pointed out very justly, this increase in the cadre ought to have been given effect to several years ago and nothing but the difficulty of our financial position has prevented us from doing so.

I earnestly hope that the Council will not make any reduction. I should regard it as a most lamentable reduction if this motion were carried.

Thakur Hanuman Singh : I will try to be very brief in my remarks. Thakur Mashal Singh has referred to the profit which the Government

gets from the civil courts. I never said that the work was not heavy and that the increase was not necessary. The only thing that I brought to the notice of the Council was that a portion of the proposed increase may be held over till next year. One of the honourable opposers has been pleased to say that judicial officers take their files to their houses to write judgments. I think anyone who has been an officer and had to try cases must know that not only the judicial officers but even magistrates and assistant collectors have to take their files to their houses to write judgments. Another honourable member has said that judicial officers die very soon. It is not the work that kills them, but I think it is their sedentary habits that kill them very soon. Why do not the judicial officers who are Europeans die so soon as the Indians die? One of the honourable members has been pleased to say that I belong to a service of officers who enjoy an easy life. Well, it is not so. We—I mean deputy collectors and collectors—do not enjoy an easy life. Sometimes we have to pass a very anxious time. If munsifs and subordinate judges be placed in the same position I cannot think what would be their condition. I know something of the working of the Bihar judicial officers. I had a suit filed some ten years ago. That suit is still pending in the subordinate judge's court at Chapra and issues have not been struck up till now. It is said that it was proposed that the cadre should be increased in the year 1921-22 and 1922-23, if I remember correctly, by Rai Bahadur Lala Sita Ram, but on account of financial stringency the proposal was not accepted. My reply is that the same financial stringency exists even now. I think my motion requires that only two or three sub-judges should be appointed in the coming year. With these words I beg to withdraw my motion.

Thakur Jagannath Bakhsh Singh: On a point of order, Sir, can the honourable member after such a long discussion withdraw his motion?

The motion was, by leave of the Council, withdrawn.

Rai Bahadur Lala Sita Ram: I move that the provision under munsifs be reduced by Rs. 25,000.

The honourable members will see from a reference to page 49 of the Detailed Estimates for 1924-25 that a provision of Rs. 6,47,000 is made for munsifs. It was only Rs. 6,22,000 in 1923-24. Even if the revised estimate were taken and an addition is made to it on account of the increase in the cadre it would be Rs. 5,60,000 plus Rs. 54,000, that is Rs. 6,14,000. That would still leave a difference of Rs. 33,000. Out of this Rs. 33,000 I only want a reduction of Rs. 25,000. There is one thing which I want to say in this connection and which I have already said before to a certain extent. It relates to the Provincial Executive Service. Men appointed to it are made permanent very soon, while it falls to the lot of those appointed to the Provincial Judicial Service to drag on for three years and yet not be made permanent. It may be due either to the insufficiency of the judicial cadre or it may be due to the over-strength of the Executive Service, though my friend the Chief Secretary will not admit it. I hope that as the cadre is now increased, this will not be the case in future.

Mr. E. A. H. Blunt: I have already indicated in connection with a former motion of the honourable member that I am prepared to accept a reduction of Rs. 10,000, and I propose to take that in the most convenient way by increasing the probable saving to Rs. 1,10,000. That is

[Mr. E. A. H. Blunt.]

a mere matter of detail. I should, however, like the honourable member to know what I propose to do so that in future he will not be able to tell me that I did not do what he wanted. I move an amendment to the motion that this item be reduced by Rs. 10,000 instead of Rs. 25,000.

The amendment proposed by Mr. E. A. H. Blunt was put and adopted.

The original motion of Rai Bahadur Lala Sita Ram, as amended, was put and adopted.

Dr. Shafa'at Ahmad Khan: With your permission, Sir, I should like to amend my motion so as to read "That this demand under "Account No. 24-E—Administration of Justice, for process-serving establishment and record-room establishment" be reduced by Rs. 20,000.

No honourable member having objected to the amendment, the motion was allowed to be amended and was moved accordingly.

Dr. Shafa'at Ahmad Khan: With regard to this item, if honourable members will look at page 50 of the Detailed Estimates they will find that the amount sanctioned for the record-room establishment is unusually large, and the Economy Committee recommended that in view of the fact that the work was very badly done, the money devoted should be appreciably reduced. I think this is an item which needs the most careful consideration of the members of this Council. I will just read out a passage dealing with the process-serving establishment and the record-room establishment from the Economy Committee's Report. I am reading from the report of the Economy Committee (page 80, third line from the bottom.) "The budget provides 313 kurk amins and 1,837 servants for rent suit processes, and 2,737 'writers and runners,' while there are 4,289 servants in the tahsils, at a total cost in wages alone of 12,70." I should like to emphasize the comment of the Economy Committee on this point. They say:—"The economical direction of these large staffs is a question of real financial importance." I think it is up to us to effect this economy in the light of the recommendations of the Economy Committee.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: We are still considering the recommendations of the Economy Committee in this respect. But I am quite willing to accept the reduction of twenty thousand owing to the earnestness of the honourable mover in the matter. I am not quite sure if I will be able to carry on the work with the curtailed allotment and if need will arise I will come to this Council with a supplementary demand.

The Deputy President: The question before the House is that the demand under "Account no. 24E.—Administration of Justice, for process-serving establishment and record-room establishment" be reduced by Rs. 20,000.

The motion was put and adopted.

The Deputy President: (To Thakur Hanuman Singh.) Is the honourable member's motion the same as the last one?

Thakur Hanuman Singh: No.

Thakur Hanuman Singh: I rise to move that the demand of Rs. 7,34,460 under "Detailed Account No. 24-E.—Administration of Justice (process-serving establishment) be reduced by Re. 1.

By bringing this motion I do not desire to have any cut in the provision made in the budget. What I desire is to draw the attention of the Government to the way in which processes are being served. These process servers are a greater burden to the people than to the Government. I do not desire to say anything in detail. I hope the Government will draw the attention of the district officers as well as of the judges to keep a strict eye on them so that the public may not be troubled to any undesirable extent by them.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I am quite ready to meet the wishes of the honourable mover, and I hope the honourable mover will withdraw this motion.

Thakur Hanuman Singh: I thank the Hon'ble the Home Member for his assurance, and with the leave of the Council I desire to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

Thakur Hanuman Singh: I rise to move that the demand of Rs. 2,18,067 (Detailed Account No. 24-E.—Record-room establishment) be reduced by Re. 1.

I have not much to say about this motion also. The only thing which I find in the district record-rooms is that informations are being sold; to this point I have to draw the attention of the Government so that it may instruct its officers in the districts to take pretty good care of the record-room staff.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: We shall try to do our best in the matter.

Thakur Hanuman Singh: I thank the Hon'ble the Home Member and with the leave of the Council I desire to withdraw this motion.

The motion was, by leave of the Council, withdrawn.

Mr. H. David: I beg to move, Sir, that the demand 24-E—Administration of Justice—Civil and Sessions Court be reduced by Re. 1.

Rai Bahadur Thakur Mashal Singh: I rise to a point of order. Which item of the budget does the mover wish to reduce?

The Deputy President: Will the honourable member mention the item he is attacking?

Mr. H. David: To cut it short, Sir, I am attacking munsifs. I very much regret to notice that the Hon'ble the Home Member is absent from his seat.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No, I am here closer, so as to hear you speak.

Mr. H. David: I stand here in the interests of the community which I represent, and I am fortified in my advocacy of their cause by the instructions issued by His Majesty to the Governors. I belong to a small community, I belong to a neglected community, and therefore I pride myself as being the special ward of His Majesty and of his representative Governor. I feel overjoyed to find that at last the Hon'ble the Home Member has found the heart and the money to increase the cadre of the Judicial department. Now for the benefit of my friend late of the Executive Service.

[Voices asking Mr. David to speak louder.]

Mr. H. David : I shall try to speak louder, Sir. This cadre has been increased and very justly increased. I have been in the service and I have always found that the work was extremely heavy and onerous. I recollect the time when I was at Allahabad and a sub-judge from Bengal came to see me. He asked me how many sub-judges there were in Allahabad and on my saying there was only one he was astonished. The work has increased enormously, thanks to the assiduity of my lawyer friends. Now that the cadre has been increased I hope the Hon'ble the Home Member will also find occasion to give admission to the representatives of our community in Oudh. In the Oudh Judiciary there is not a single Christian, Indian or Anglo-Indian, and it seems to me very just and proper that this defect—this glaring defect—should be brought prominently to the notice of the Council, of the Government and of the Judicial Commissioner: it needs a remedy. I have great faith in the Hon'ble the Home Member. I specially recollect that he was the only member on the Government side who voted for the uplift of the Indian Christians and gave hope that they should be more and more nominated to the Executive Service. Now when the chance has come I hope and have confidence that the Hon'ble the Home Member will do what he can to remedy this glaring injustice. With these few remarks I sit down.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I am in sympathy with the honourable mover. As regards his remarks that he belongs to a neglected community, I must tell him that he belongs to a community which is never neglected and in almost all provinces care has been taken to look after the betterment and interests of that community. With regard to this particular point, I will consider the question and will ask the Judicial Commissioner of Oudh to consider the case of his community.

Mr. H. David : Being a devoted loyalist, I withdraw my motion relying upon the assurance given.

The motion was, by leave of the Council, withdrawn.

Khan Bahadur, Maulvi Fasih-ud-din : I beg to move that the demand 24-E.—Administration of Justice, be reduced by Re. 1.

It is clear that I do not wish to make any substantial cut, but I wish to bring forward a few matters of general policy in connection with this subject. I will be brief, as we have to rush through so many items in these two days. The first point I wish to bring out is that eight posts of district judge have been listed for the members of the Provincial Judicial Service and out of these eight posts one post has been chopped off for the members of the legal profession. That I submit, constitutes a great injustice to the Judicial department and even a greater injustice to the members of the Bar who, as we know, constitute the cream of our educated community. One of my friends the honourable member for Hardoi has just remarked that members of the Bar have got the distinguishing mark, namely, that they lay their hands on the pockets of other people. I think he does not mean by this that they have an eye to the money of other people, but I suppose he means that they have an eye on the money in the pocket of Government and they want to transfer it to the pocket of the tax-payer again. I think that it is a great insult to the members of this profession not to be offered more posts than one. This was one point that I wanted to bring out.

The other point that I want to bring out in connection with this subject is that no time should be lost in giving full effect to the recommendation of the Economy Committee by raising the pecuniary limits of the jurisdiction of munsifs, as this plan is not only likely to lessen the burden of the work of the higher courts, but it is also likely to result in the convenience of litigants, as they will not have to run from the mutassil to headquarters for cases which extend over Rs. 1,000. The question of the status of munsifs does not come in, as I find from the Civil List that owing to the introduction of the time-scale of pay the munsif sometimes gets higher pay than even the sub-judge. The third point which I wish to bring out is that I was to lay down a protest on behalf of the Muslim sub-judges. I am not, Sir, raising any communal question, but I think that every one of us will agree that we should strongly check any tendency on the part of any department to create racial rivalries and prejudices. I find that since the creation of the selection grade none of the Muslim sub-judges has been promoted since 1919 to any of the posts in the selection grade. Of course I admit that promotion to this grade depends on fitness, but I know it by long experience that sometimes this principle is utilized for covering the policy of favouritism and nepotism. This is all that I wanted to say.

Mr. G. B. Lambert : I have been asked to reply regarding the one appointment made to a listed post from the Bar. The intention was to make more appointments from the Bar, but we found that the Legislative Council was very strongly of the opinion that the number of posts given to the Provincial Service should not be reduced. Consequently, we agreed to wait until an entirely new judgship was constituted before we considered another appointment from the Bar. That is how matters stand. We merely followed the expressed desire of the Council in what we decided.

In regard to promotion to the selection grade, I suppose the honourable mover will hardly expect us to promote a Muslim because he is a Muslim. It so happens that in the last year or so there has been no sufficiently senior Muslim officer who could be considered. So far as the Government is concerned, the selection grade might at any time consist entirely of Muslims if officers eligible were of sufficient standing and competence.

Khan Bahadur Maulvi Fasih-ud-din : I have just to say a word. As to the first point, Government has said that they are willing to consider the claims of the members of the Bar for appointment to the post of a Judge, but I find that last year in February the same point was raised in a resolution in this very Council, and it was negatived by the weight of the votes of official members only. As chance would have it, only five or six non-official members voted for the resolution and two or three against it. So I think that the policy of the Government should be made clear on this point. I do not mean to say that the post reserved for the members of the Provincial Service should be reduced, but I think that some provision should be made for the members of the Bar over and above the posts set apart for the members of the Provincial Service.

As to the second point, I beg to submit that I can name one or two Muslim sub-judges of good reputation, of high standing who have been passed over; but I do not wish to bring in personal questions on this

[Khan Bahadur Maulvi Fasih-ud-din]

occasion. I simply wanted to enunciate the policy, so it is no use my pressing this motion for a division. I withdraw it.

The motion was, by leave of the Council, withdrawn.

[The Hon'ble the President here resumed the chair.]

The following motion stood in the name of Pandit Brijnandan Prasad Misra:—That the allotment under heads 1 and 5 (24—Administration of Justice) be reduced by Rs. 1,000.

The Hon'ble Mr. S. P. O'Donnell: On a point of order, I submit that this is out of time.

Pandit Brijnandan Prasad Misra: Mr. President, will you kindly permit me to put reasons before you for consideration before you allow or disallow my motion?

The Hon'ble the President: In regard to its not being in time it is not necessary to decide the point as the motion itself is not in order. The original motion was for a grant of Rs. 54,24,650 under head of Account 24—Administration of Justice, since when motions have been adopted by the Council by which reductions of Rs. 71,000 have been made, leaving a total net demand of Rs. 53,53,650. The motion now before the Council is that this demand of Rs. 53,53,650 be granted.

Pandit Brijnandan Prasad Misra: I want to oppose the whole demand. The reasons for which I want to make this motion before the House is that although I had not sent any motions whatsoever for any substantial reductions in the grant itself, there are certain facts which I wanted to bring to the notice of this House by means of motions for nominal reductions, but which unfortunately owing to your ruling, Sir, which I am not authorized to discuss, I could not bring forward. The particular reason for which I raise this opposition is that while it is necessary that justice must be given to the province, it is an extremely regrettable thing that the quality of justice has of late deteriorated considerably. If justice is not administered properly it is as useless to have seats and courts of justice as not to have them at all. One thing which I feel very painfully is that within this very province and at no very great distance from the hill seat of the Government the area known as Kumaun has been peculiarly shut out from the formally graded and established systems of justice. High Courts are considered to be the palladium of justice; but in that particular area even the High Court has been excluded from extending its influence. Justice there is being meted out summarily and in a way which cannot possibly be considered to be in any way formal and systematic and which can be considered to be satisfactory by anybody. British justice in India is undoubtedly not a thing which by its nature can be said to be satisfactory, but still ordinarily in cases where special reasons did not exist its administration did not create much discontent and therefore it was allowed to exist with all its faults for such a long time. But even this system which prevails in the province has not been extended to Kumaun for the reasons not known to me. If the High Court had its jurisdiction over Kumaun, people may have felt satisfaction even if full justice had not been meted out there, for they would have received the consolation of going to the High Court for the sake of getting their grievances removed and their complaints

properly heard. But as matters stand the whole thing is confined to the particular officers of those three districts and the whole thing has to be disposed of finally by the Commissioner of the division. I would not like to go into details as to how the present Commissioner deals with his cases and how sadly negligent and careless he is in his work, but even if he had, on the other hand, been a very wise man and a desirable sort of judge, without the necessary restraints and precautions of law, which are so necessary for the purpose of securing proper justice, it would have been absolutely impossible for him to give justice to the satisfaction of people. Therefore as long as Kumaun is shut out and is not brought under the good influence of the High Court where injustices may at times be cured, I think I will go on opposing the demand.

Another thing which I wish to say is that there has been a glaring and painful truth which forces itself on everybody in the country, and it is this, that in political cases and in cases between Europeans and Indians justice is never honestly administered.

The Hon'ble the President: I hope the honourable member will remember the standing order that no member may make any reflection on the conduct of courts of justice.

Pandit Brijnandan Prasad Misra : I will refer to the administration of justice without referring to any court.

The Hon'ble the President: That will be a very difficult thing to do; the honourable member may be ingenious enough to do it.

Pandit Brijnandan Prasad Misra : Without making any reflection on any court I would simply cite instances in support of my statement without giving any words of mine. I want to refer before the House to the findings of a High Court contained in the copy of a judgment which I have got in my hands. I would not take much time of the Council at this late hour, and would refer only to the case which must have come to the notice of the honourable members of this House—the rape case of a Mallah girl in Tundla. The case in which two Eurasians stood accused for ravishing a Mallah girl has since been decided by the High Court, and to the credit of that court I must say that justice has been vindicated by that court; but justice had been summarily denied to the complainant in the lower court. The facts of the case are known to every member of the House and therefore I would not like to take up any more time of the Council. But I must say this, that the Government should try to put every sort of restraint upon such judges who do not perform their duties properly and who by their partiality create discontent in the country which is far in excess of any discontent which can be created by any number of agitators. If judges do not administer justice fairly and even-headedly, if they allow themselves to be carried away by racial consideration, if they make a distinction between caste and caste and colour and colour, then a very strong sentiment is created, which is a sentiment of resentment. Since Government does not seem to be anxious to avoid these things I am sorry I have no other course left to me but to oppose the demand.

Babu Sita Ram : I rise to oppose the demand and to make the position of my party clear before the House. Of course the ideas to which I may give expression before this House may be utopian, but in order to vindicate my position as a representative of my constituency I am bound

[Babu Sita Ram.]

to give expression to those ideas, notwithstanding the circumstance that those ideas may look wild.

The present system of administration of justice, for which this demand is being made, is not suited to the needs of the country, and since the reformed days this old system has been carried on; and whatever reforms may come the system on which we are going is likely to continue to work if a solid check is not given to it. The British system of administration is being tried to be implanted in India, and that system is not to the good of the Indian people. Of course, it is common knowledge to every lawyer and every judge that the interpretation of our law is not certain. The judge takes one view of the law, and when the matter goes to the High Court they take a different view and that view will continue to work some time, and when the matter is taken to the Privy Council they give quite a different view. The whole trend of interpretation that was going on to a certain point is negatived, and what the parties regarded as settled for the time being is unsettled. Is this system of law conducive to the well-being of the people. These are occurrences of every day. One day we get Sahu Ram Chandra and after sometime comes Mangla Prasad.

These are not solitary occurrences. Sir, this system of law cannot bring peace and happiness to the people. My idea is leave the decision of any case to any independent body of five persons. Such persons are available every where, and whatever their decision may be, whether good or bad to the parties concerned, that must be the final decision. By multiplicity of courts you do not do any substantial justice to the people. The parties play with their money and we used to be told in old days that people became paupers by fighting in law courts?

Mr. H. David: I may be allowed to make an inquiry, Sir. Is the honourable member still a practising member of the court?

The Hon'ble the President: The honourable member should not interrupt the speaker.

Babu Sita Ram: Therefore, my submission before this House is—and I believe this is the view of the whole party—that this system of administration of justice will not do any good to the people and for this reason I, on behalf of my party, oppose the whole demand.

Mr. Mukandi Lal: It seems, if there were opposition always in view we would have a full House always. I am very delighted to see that in view of the opposition, to the granting of demands by my party, the House in the afternoon is fuller than it was in the morning today.

I rise, Mr. President, just to point out that we realize our position, that we are numerically small, and that we propose to relieve the distribution of the yellow and blue tickets, because we are not going to push the matter to a division. But as a matter of principle and on grounds of justice we will simply oppose the demand and give vent to the national voice, that so long as the present Government does not command our confidence we are bound to oppose the demands and supplies. Because this is the only constitutional weapon that the people possess to fight for their rights with. If we do not agree with the Government, if we do not think that the Government is going on the right lines, the people have an opportunity of refusing the supplies. That is the most

fundamental constitutional law that prevails in all constitutional countries. And we have a constitution, whether we are satisfied with it or not, which has already given us the opportunity of saying that we will not vote. Yes, I know, and all of us know, that most of these demands, particularly the demands on the reserved subjects, will be certified if the demand is refused. That is the thing we want. We want that the Governor may be pleased to certify all the demands that we refuse. The case of transferred subjects rests on a different basis. On these subjects, for instance excise, we are in duty bound to say "no". Then there comes the question of education. Perhaps we may be neutral when the question is considered. That may be illogical, but it is quite a different matter. Nations do not thrive by logic alone. But, as a matter of principle we have decided to oppose and refuse demands in all cases. Take the case of justice. Indeed my view is that the State exists to do justice to the people, and I believe that it is the end of justice that has brought the State into existence, as suggested by Ruseau's social contract theory of State. Now we have got to see whether the State is doing justice to the people or not. We do not think that justice is done to the utmost here in India. Now, my honourable friend for Pilibhit, who has championed the cause of the people of Kumaun, has told the Council that we are doling out money for the High Court and that, if other parts of these provinces do require justice to be done and it is the High Court alone which can serve the ends of justice, there is no reason why Kumaun should also not be brought under the High Court. It is the most advanced division from the educational point of view, and in spite of that it is still a non-regulation district and we are not brought under the High Court. Take again the case of the separation of judicial and executive functions for which we have been pressing in season and out of season. In this connection I would like to read a sentence from Mr. Macdonald, the present Premier's, book. He has said: "The executive and the judicial mind are at enmity". Here in India we are keeping the judicial and executive mind in union, the two minds which are fundamentally opposed to each other in the matter of doing justice. Similarly take the example of sessions cases. In Kumaun the sessions judge goes to Naini Tal, to Almora, and to Pilibhit, but never to Garhwal. Probably I will be told by the Hon'ble Home Member in reply that it is more expensive to go to Garhwal than to other places. But that is not so. Besides to call the witnesses and the parties to Naini Tal or Haldwani or Pilibhit is decidedly more expensive than the sessions judge's going to Garhwal.

My point is this, that if the present Government is based on justice and yet is not going to administer justice equally to all the parts of these provinces, we are obliged to refuse supplies which is the only course left open to us. Therefore we refuse supplies on administration of justice.

Babu Mohan Lal Saksena : I am grateful to the President today for allowing me to speak, for I know the other day I escaped his eye or rather I did not catch his eye when I wanted to take part in the general discussion of the budget. I had originally intended to outline the policy of my party in regard to the present budget at that time. We came to this Council with a definite mandate and definite mission and that was, as I told the House on a previous occasion, negotiations with the present Government

[Babu Mohan Lal Saksena.]

and now we find that those negotiations have failed. We were here to offer co-operation. We were here to explain the position of India as it is at present. We wanted to clear the position to the Government. We came here as enemies, but if I may be permitted to say so it was an enmity as exists between two noble persons, and the enmity between two such persons is bound to end in the fastest friendship. On the other hand the friendship between two selfish persons is bound to end in deadliest enmity even as ended the friendship of the bureaucratic Government and the liberals. You will remember, Sir, that in the palmy days of non-co-operation the Government exploited the liberals for its own end and as soon as the non-co-operation had subsided a little they were thrown out overboard. We are on different grounds. Since we entered the Councils we find we have been alternately cajoled and threatened by a large number of speakers on this House from His Excellency downward to my friend, Mr. Mashal Singh. His Excellency in his speech remarked that the car carrying the fortunes of the State must move on well-laid solid rails.

Mr. R. Burn : I rise to a point of order. Is the honourable member in order in stating the policy of his party? We are concerned here with the discussion of the budget under the head "Administration of Justice".

Babu Mohan Lal Saksena : I wanted your indulgence for a few minutes.

The Hon'ble the President : I was obviously giving indulgence. I think it is the desire of everyone to hear a little at any rate of the views of the party on our left. We have heard a considerable number of speeches already, and it will probably be the less necessary to make long speeches in future. All honourable members know perfectly well that rules can be rigidly enforced so as to prevent any speech-making which is only for the purpose of obstructing the business of the Council. The Council business is the budget, and speech-making merely with a view to obstructing that business of the Council is contrary to the standing orders and can be ruled out of order. But I am not without some little sympathy with intransigence, and so I desired to hear what was to be said. At the same time, I expect that indulgence having been shown already to previous speakers of the Swaraj party the honourable member will come to the point very quickly. Moreover, obstruction is really impossible. There is a certain business allotted for the day which has to be gone through, and whether the discussion on the demands allotted for the day is completed or not, when we have got to the end of the day, all outstanding demands must be put from the chair to the House.

I should further like to make a few remarks in regard to the demand for education. There is not a single member in this Council who is not deeply interested in the subject of education and the Council is particularly fortunate in having in its midst men who are experts in education, both in theory and in practice, and I hope honourable members will allow sufficient time for the discussion of the education budget. In case we are not able quickly to complete the business preceding the demand for education, we will be driven to deal with that important subject in a few minutes only tomorrow. I call upon the honourable member to continue his speech and trust he will be as brief as possible.

Babu Mohan Lal Saksena : I again thank the Hon'ble the President for the indulgence he has shown me. I merely wanted to remove

any misunderstandings that there may be in the minds of the honourable members of this House in regard to the attitude of our party. I was referring to the remark of His Excellency the Governor, when he said that the car carrying the fortunes of the State shall move on well laid solid rails. I submit that our object is not to throw the carriage of State off the rails into forests. We only want that the rails should be extended so much that the car may take us out of the jungle of bureaucratic rule which has been sapping the very vitals of the nation and we may be able to reach the promised land of Swaraj, which in your opening speech, Sir, you were pleased to remark was the goal of all parties in this Council, though they constituted the constitutional section of the Swaraj party. The Swaraj party wants to have the policy settled, as we thought that once the rails had been extended, we would be sure of our destination. As regard to the speed of the carriage we think it could be settled by mutual agreement between the Government and the people.

I now turn to the demand before us. I have already informed the Council that our negotiations have failed, and as we are bound by our party mandate, we must wash our hands of these reforms. We must not associate ourselves with a single item of the budget, and though my friend Rai Bahadur Lala Sita Ram may make hits at our obstructive tactics and may take credit for the cut of fifteen lakhs that he secured last year and greater cuts which he may be able to effect this year, we, the Swarajist members will not be at all satisfied with a cut here and a cut there. I ask the honourable member for Meerut to think for a moment as to what will the civilized world say in regard to his present attitude towards the budget. They will say "Look at the Indians who have been complaining about repression, exploitation and misrule by the present Government, they are supplying fuel to the self same machinery of the Government. They are either liars or fools that they make themselves tools of self destruction." I would advise the honourable member for Meerut to have patience for some time, and to bear with us in our policy. Let us allow the boil of miseries and troubles to get red hot and fully ripe when it will burst of itself and one shall see that there is no boil. That is the most natural treatment of a boil. With these words I ask honourable members to reject each and every demand that is put before the Council. I would appeal to honourable members and even the Ministers and my friend the Home Member who just a few minutes ago happened to come to these benches to come permanently to our side and lead us even if he had led the home rule movement in 1918. With these words I would ask members to reject the whole demand.

The motion that the demand No. 1 under Head 24—Administration of Justice, amounting to Rs. 53,53,650, be voted was put and the Council divided as below :—

Ayes (63).

The Hon'ble Mr. S. P. O'Donnell.	Mr. G. B. F. Muir.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.	Mr. A. C. Verrières.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Mr. C. E. D. Peters.
The Hon'ble Rai Rajeshwar Bali.	Mr. J. R. W. Bennett.
Mr. G. B. Lambert.	Mr. S. H. Fremantle.
Mr. E. A. H. Blunt.	Mr. R. Eurn.
Kunwar Jagdish Prasad.	Mr. W. S. Cassels.
	Mr. A. G. P. Pullan.
	Mr. H. G. Billson.

Ayes (63)—(concluded).

Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad E'jaz Rasul Khan.
Raja Bahadur Brij Narain Rai
Mr. H. C. Desanges.
Mr. H. David.
Babu Khem Chand.
Rai Bahadur Lala Sita Ram.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.
Rai Bahadur Pandit Kharagjit Misra.
Raja Suryopal Singh.
Chaudhri Sardar Singh.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukum Tej Pratap Singh.
Rai Bahadur Pandit Balbhadra Prasad Tiwari.
Raja Sri Krishna Dutt Dubo.

Babu Dip Narayan Roy.
Thakur Hanuman Singh
Raja Indrajit Pratap Bahadur Sahi.
Raja Shankar Sahai
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Mr. Muhammad Aslam Saifi.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Chaudhri Amir Hasan Khan
Maulvi Obaid-ul-Rahman Khan.
Hafiz Hidayat Husain.
Nawabzada Muhammad Yusuf.
Maulvi Abdul Hakim.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih ud-din
Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Mr. Ashiq Husain Mirza
Lieut. Shaikh Shahid Husain.
Raja Shambhu Dayal.
Lieut. Shaikh Imtiaz Rasul Khan.
Thakur Jagannath Baksh Singh.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad.

Noes (22).

Babu Narayan Prasad Arora.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Chaudhri Badan Singh.
Thakur Sa'ho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Pande.
Thakur Keshava Chandra Singh Chaudhri.

Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyaya.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Dr. Jaikaran Nath Misra.
Babu Sita Ram
Thakur Hukum Singh.
Maulvi Zahur-ud-din.

The motion was accordingly adopted.

Demand No. 2.

HEAD 6. — EXCISE.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I rise to communicate to the Council the recommendation of His Excellency the Governor that the sum of Rs. 6,13,900 be provided under the head "Excise" and I move that the said amount be voted. Before I deliver my speech I will ask your indulgence in allowing me to refresh my memory more often with my notes than I usually do because it is almost impossible to remember all the figures and statistics by heart. I also beg the indulgence of honourable members of this House specially my friends the honourable member from Pilibhit and Mr. David because they are very keen in guarding against the breach of this rule. Whatever else may happen in the House nobody should be allowed to break this rule of yours.

I am sure honourable members will be interested to know how we are proceeding in reducing our consumption in liquor and different drugs. The number of shops were 10,510 in 1921-22; they came down to 8,216 in 1922-23; and they have been further reduced to 7,822 in 1923-24.

During this year we have received very many recommendations for closure of shops from different licensing boards and advisory committees and many of them have been accepted by Government and therefore we hope that by the 1st of April the number of shops will be reduced to 6,966, that is only two-thirds of the number has been left of what it was in 1921-22. Now I would also like to put before the House how consumption has been reduced in different drugs and liquors. In 1921-22 when our revenue was 1,80,00,000 the consumption was : country spirit 15,084 gallons ; opium 39,264 seers ; charas 44,511 seers ; ganja 22,308 seers ; and bhang 2,16,433 seers. Last year i.e. in 1922-23 the consumption was : country spirit 7,05,364 gallons ; opium 59,398 ; charas 37,913 ; ganja 12,448 and bhang 18,629. These figures show very clearly that instead of increasing the consumption is decreasing. It is partly due to high duty that we have fixed on the liquor and it is partly due to the activities of my friends sitting opposite. I will not hesitate for a moment to give the credit to them. In fact in our annual report we have clearly said that the present change in the habits of the people is to a very large extent due to the movement of non-co-operation. However as far as temperance is concerned we are trying to the same end. Honourable members will be pleased to know that the cumulative effect of all our efforts is that the fall in consumption has resulted in 52·8 per cent in the case of country spirit 25·1 per cent in the case of opium, 14·8 per cent in the case of charas, 35 per cent in the case of ganja and 39·6 per cent in the case of bhang.

Now at this late hour I do not wish to detain the House, although I wanted to say something about the recommendations of the Economy Committee. But as I know that some honourable members are going to move some reductions and I would have to repeat the same arguments in reply to their motions, I think I would save time by not mentioning them here. What I would further like to say is this as we have said in reply to a question this morning that we are perfectly willing to penalize chandu in these provinces. The only difficulty is that it will involve some changes in some sections of the Indian Penal Code. We are not sure whether it is for the Central Government to take it up or for us. However we can clear our position by saying that as far as this Government is concerned we are in favour of penalizing chandu. When motions for reductions are moved I hope to put my views before this House regarding them then.

Mr. Muhammad Aslam Saifi : I move "that the demand 6—Excise be reduced by Rs. 4,000 under assistant commissioners' salaries."

I see in the report of the Economy Committee that they recommend that the posts of five out of nine assistant commissioners be abolished. In that report I also see a reference to the report of the Excise Committee. The dual system which has been condemned by the Excise Committee as well as by the Economy Committee shows that the Economy Committee have accepted the report of the Excise Committee and have suggested that five posts out of nine . . .

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : To save the time of the House may I say at the very outset that I am ready to accept this reduction ?

Mr. Muhammad Aslam Saifi : Then, Sir, I need not go into details at all.

Rai Bahadur Babu Vikramajit Singh : I wish to substitute Rs. 15,000 for Rs. 4,000. If the honourable members will look at page 29 of the detailed estimates they will find that Rs. 64,680 have been budgeted for nine posts of assistant excise commissioners and I want to urge that the number nine is a large one. In view of the recommendations of the Economy Committee it ought to be considerably reduced. In fact it should be reduced to four as has been recommended by the Economy Committee, but as the department may not be able to adjust itself at once, I have moved a reduction of Rs. 15,000 only in place of my original figure of Rs. 30,000. Now, Sir, it appears that the Government up till now have not made up their mind in regard to the posts of assistant commissioners of excise. The resolution that was issued by the Government on the 23rd February, 1924, merely said with reference to the recommendations of the Economy Committee that recommendations 1 and 2, namely in regard to the reduction in the number of excise assistant commissioners and another with which we are not at present concerned, are under consideration. It will be found, Sir, that originally the department used to be managed by the district officers and the excise officers on the district staff. Subsequently the posts of certain assistant excise commissioners were created and there are now nine assistant commissioners of excise. The Excise Committee are not satisfied with nine assistant commissioners but recommended that there should be 20 assistant excise commissioners, of whom nine should be put in charge of three districts each and nine of two districts each. Of the remaining two one should be the personal assistant to the excise commissioner and the other may be a technical man. The present budgeting of the Government shows that they have not accepted in its entirety the recommendation of the Excise Committee, for they do not ask for 20 assistant commissioners. That point has been very thoroughly gone into by the Economy Committee which sat later and they report their conclusions on page 17 of the report from which I may be permitted to read a few sentences. It would appear that my point has been fully supported by their recommendations. They say "we observe, and are confirmed in our view by the recent opinion of commissioners and district officers, which is practically unanimous, that the increased expenditure on the Excise department staff has had no other effect than that of intensifying the division of responsibility which the Excise Committee condemned. There are now eight assistant excise commissioners in charge of circles: if their number were raised to 20 as proposed, we cannot anticipate that there would be any essential improvement. Nine of the assistant commissioners would have charge of three districts each, and nine would have two districts. Their charges would be too large; they could not be regarded as officers of the ordinary district staff and the collectors would not, therefore, have full control over their work or over the excise inspectors who are attached to the district. To increase the number of assistant commissioners until there is one for each district is quite out of the question, both administratively and financially."

Of course the Economy Committee thinks that even 20 recommended by the Excise Committee will not be sufficient. If it is necessary to keep it as a separate department, we shall have one assistant commissioner for each district, but that, the Economy Committee thinks, is both administratively and financially unsound.

Then, Sir, I would ask your permission to read one other passage which concludes the question. It runs as follows :—

“ The present system is both unsound and uneconomical. Assistant commissioners are required for duties in the distilleries and the bonded warehouses, but their administrative and preventive work is of negligible value. Their circles are much too large. They have no local knowledge, they have little time for work in the rural area, and they are entirely out of touch with the collector and the district staff. The inspectors are wasted by division of control between the assistant commissioners and the revenue staff.” In the end they have wound up with the recommendation that only four posts of assistant excise commissioners ought to be kept. One of them should be personal assistant to the excise commissioner and the other three should be employed as technical men. The control should be entirely transferred to the district staff. I think, Sir, the Government ought to stand for either of the two positions. If they think that the Excise Committee's recommendations are correct, then they ought to put forward their scheme of asking for 20 assistant commissioners and in fact in the light of the observations of the Economy Committee for 47 or 48 assistant commissioners; I think the Hon'ble the Minister for Industries and Agriculture will not consider this position as either sound or a safe one. He would not like to have 47 or 48 officers for this department and multiply these posts immensely. Then I think the only alternative left to him is to accept the recommendations of the Economy Committee and to accept the position taken up by us that only four assistant commissioners ought to be retained, the rest being abolished, inasmuch as the district officer and his excise officer will be in a very good position to administer the Excise department. I can assure the Hon'ble Minister that the Council does not look at all with disfavour either small consumption or small revenue under this head. Of course the Hon'ble Minister has told us that the consumption has gone down and I think this is a good sign. If it goes down still further, we shall be very glad indeed. Therefore it will not be on the score of raising the revenue that the expenditure on the assistant excise commissioners ought or should be maintained. I think that the proposition for which I stand is a very simple one. It is not like asking the throwing out of the whole budget but for asking merely a modest sum of Rs. 15,000 to be reduced from the budget for nine assistant excise commissioners. I therefore ask the House to accept this amendment.

Mr. Masud-uz-Zaman : My motion was also based on the recommendations of the Economy Committee and I do not think that I can add any further arguments to those that have already been advanced.

Mr. Ashiq Husain Mirza : My motion is on the same basis, but I consider that instead of reducing a number of assistant commissioners it would be very much better that the experiment should be tried in one division. I therefore ask for the reduction of only one assistant commissioner, i.e. for a reduction of Rs. 3,740.

The Hon'ble the President : Does the honourable member wish to support the motion for a reduction of Rs. 4,000 or move a special amendment?

Mr. Ashiq Husain Mirza : I wish to move a special amendment,

The Hon'ble the President: The motion was for a reduction of Rs. 4,000. An amendment was moved to substitute Rs. 15,000 for Rs. 4,000. Now a second amendment has been proposed that Rs. 3,740 be substituted for Rs. 15,000.

The question is that for the sum of Rs. 15,000, Rs. 3,740 be substituted.

The amendment was put and negatived.

The Hon'ble the President: The original motion was that the demand be reduced by Rs. 4,000. An amendment was proposed that for Rs. 4,000 a sum of Rs. 15,000 be substituted. This is the motion that is still before the Council.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I regret that I have to oppose my honourable friend the member for the Chamber of Commerce, although I wish it had been possible for me to accept his amendment. The reason why I oppose his motion is that I have accepted the amendment of my honourable friend Mr. Saifi for a certain reason; the very same reason which was pointed out by my honourable friend from the Garhwal constituency. The position of the Government is this, that the Excise Committee, which was a committee of experts and on whose recommendations our present system of excise is based, recommended that the number of assistant excise commissioners should be increased because they thought that the change in the system introduced was such as to have complicated the machinery of administration and that the layman—the district magistrate—would not be able to carry it out satisfactorily. The Economy Committee recommended the abolition of the assistant excise commissioners. So the question before the Government is that all the expert opinions are on the one side and the laymen's opinions on the other. We sent the recommendations of the Economy Committee to our expert advisers, for instance Mr. Way, who was once our excise commissioner; also we consulted our present excise commissioner and our excise secretary, Mr. Blunt and Mr. Wild and they are all against accepting the recommendations of the Economy Committee. Now the position of the member in charge is one of being between the devil and the deep sea. On the one hand, we find all the laymen saying it should be done in this way; on the other hand, experts warn us that if we take any wrong or false step we must remember that our revenue will fall and that this revenue will fall not because the consumption will be reduced but rather that the consumption will increase on the one hand and the revenue will fall on the other. My friend the member for the Chamber of Commerce said that we should not care whether our revenue increases or decreases in a matter like this. I entirely agree with him. The policy of the Government is this, we do not want any increase in our revenue by increasing the consumption, but our policy is to get the maximum of revenue out of a minimum consumption. That is the policy we are following now. The result of this measure now proposed would be that our control will be relaxed and most probably illicit distillation and smuggling will increase, and thus on the one hand consumption will increase and on the other revenue will decrease. Now under these circumstances there was no alternative for the Government but to accept this position that we are ready to give an honest trial to the recommendations of the Economy Committee in one division. I have accepted the motion and we are doing away with one assistant excise commissioner. In one division of several districts

there will be no assistant excise commissioner but the machinery will be handed over to the collector. Let us see if he will be able to work it out successfully. In that case we would ourselves come forward and do away with the rest of the posts. The trial will last one year. But if the scheme will fail, if the experiment is a failure, I am sure the Council will not insist on doing away with all assistant excise commissioners. This motion has been brought forward not so much in the interest of temperance as those of economy, and I want to discuss the whole thing from an economic point of view. If you accept this motion now you will be able simply to make an economy of Rs. 15,000, a paltry sum. On the other hand, if those warnings of the experts are correct it is quite possible we may lose 10 or 12 lakhs of revenue. Is it true economy, or is it false economy? I do not think, Sir, although I know and being a layman I have also a hatred for the expert opinion and there are many people who do not like it, but at the same time to be practical, may I ask that on a question of education if we say—we have got three doctors of education here but we do not want to hear their opinion—we want to have our own way; will it be sense? Or on a legal point, suppose I say I do not care two pence for the opinion of my honourable friend the member for the Chamber of Commerce—would I not be quite wrong? Expert opinion must be respected and we cannot do without it. Therefore for a paltry sum of Rs. 15,000 I hope that this Council will not take a risk—perhaps this would not be true economy at all. With these words I oppose the amendment.

Rai Bahadur Babu Vikramajit Singh : After hearing the speech of the Hon'ble the Minister I would not like to throw him either into the deep sea or to the devil. I would rather like to withdraw my amendment for the reduction of Rs. 15,000. But I think, Sir, there is one mistake in the speech of the Hon'ble the Minister referring to the Economy Committee's recommendation which the Hon'ble the Minister has made. It was not intended that an experiment should be made in one division—the object was to extend the circle of the assistant excise commissioner.

The amendment was, by leave of the Council, withdrawn.

The original motion for a reduction of Rs. 4,000 was put and adopted.

Rai Bahadur Babu Vikramajit Singh : I think in view of the resolution which has just been adopted with reference to the reduction of one assistant commissioner of excise, I would ask your permission to substitute Rs. 2,000 for Rs. 10,000.

The permission was granted.

Rai Bahadur Babu Vikramajit Singh : I beg to move that the item of Rs. 19,220 (6A - Excise—Superintendence) be reduced by Rs. 2,000 for travelling allowances.

I think it is but fair that when one post is going to be reduced the travelling allowance which has been provided for nine assistant commissioners be reduced proportionately, and I hope the Hon'ble Minister of Industries will accept this motion.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I accept the motion.

The motion was put and adopted.

Dr. Shafa'at Ahmad Khan: In view of the explanation of the Hon'ble Minister I beg leave of the Council to withdraw the following motion standing in my name:—

“That the demand under ‘Account No. 6A—Excise’ be reduced by Rs. 40,000.”

Mr. Mukandi Lal: I beg to oppose the withdrawal.

The Hon'ble the President: The withdrawal cannot be opposed as the motion has not been moved.

The motion was accordingly withdrawn.

Rai Bahadur Babu Vikramajit Singh: I beg to move that the item of Rs. 43,600 for rewards (6B—Excise—District Executive Establishment) be reduced by Rs. 20,000. If the honourable members will turn to page 29 of the detailed estimates they will find that a sum of Rs. 43,600 has been budgeted for rewards. It will appear that this sum has always been increasing. At first a sum of Rs. 33,807 was spent in the year 1922-23. Then it will be found that in the subsequent budget the same figure was increased to Rs. 35,000 and then in the revised estimates of 1923-24 the figure went up to Rs. 39,000, and now it has been budgeted at Rs. 43,600. I think that it is not necessary to spend so much money lavishly on rewards to the officers of this department. Some times these rewards put them on wrong track and are not properly utilized. Anyhow, they are all well paid servants and it is their duty either to detect crime or to do what is necessary in the interest of administration to do. Consequently, I think we can very safely reduce the item of Rs. 43,600 by Rs. 20,000 as it is a year of stringency and we are faced with the introduction of new financial measures and new taxes. If we are less generous it will be in the interest of economy. I think there will be no hesitation on the part of the Hon'ble Minister for Industries to accept this reduction.

Pandit Brijnandan Prasad Misra: My own motion refers to the same ground which has been covered by the motion of my honourable friend Rai Bahadur Babu Vikramajit Singh and I do not want to say much about the point except that since consumption has been going down of late it is not necessary to spend such a big sum for the purpose for which it has been put down, namely rewards, etc. With these few words I support the motion.

Thakur Hanuman Singh: A similar motion stands against my name. So I would propose that Rs. 10,000 be substituted for Rs. 20,000 as has been moved by my friend Rai Bahadur Vikramajit Singh.

The honourable mover has said much of what I intended to say. I can only add that the amendment which I have moved, if carried, will bring the provision to the level of that of 1922-23. The current year in which a larger sum was given as reward was a special year because of the detection of cocaine and certain other things. But it is quite possible that such cases may not occur during the year under budget. So I hope the Government will be pleased to reduce the amount by Rs. 10,000. I do not think it requires any further explanation.

Lieut. Shaikh Shahid Husain: I beg to support the motion of my friend Thakur Hanuman Singh. In the account of 1922-23, as the Thakur Sahib pointed out, the figure was Rs. 33,807. In 1924-25 it has

been put down as Rs. 43,600. I think it is a middle course and I hope it will be accepted both by my friend Rai Bahadur Babu Vikramajit Singh and the Hon'ble Minister.

Mr. Masud-uz-Zaman: I beg to move that the demand under "6B—Excise—Rewards" be reduced by Rs. 4,600.

Rai Bahadur Babu Vikramajit Singh: I rise to a point of order. This motion is too late and not in order.

The motion was disallowed by the Hon'ble the President.

Mr. E. A. H. Blunt: It is perfectly true that the figure for rewards has gone up considerably; but I should like the Council in the first place to note one point. The figure this year is rather a curious sum of Rs. 43,600; that Rs. 4,600, the figure which Mr. Masud-uz-Zaman was referring to but not allowed to speak about, is not for rewards at all. If you look at the memorandum you will see that "the increase of 8, is due to higher provision for rewards as crime is increasing and preventive measures are handicapped unless rewards are given; and to provision being made for the payment of freight on excise opium supplied to this Government." The Accountant-General having no place to put this sum has put it under "Non-contract, Provincial," but left the single word "Rewards," with the result that he has made it appear that the whole sum is for rewards. As a matter of fact, the provision for rewards is only Rs. 39,000, the same as last year; and Rs. 4,600 represents the freight on opium carried from the factory to our districts. As to the increase which has taken place under rewards, I would like to point out that prosecutions have also been increasing. Cases of illicit distillation for instance went up in 1922-23 from 1,100 to nearly 1,900. Under cocaine in the same way the cases went up, I think, from 65 to 155. The bulk of this allotment for rewards goes for cases in connection with cocaine. Opium cases are not concerned at all—those rewards are paid by the Government of India. The main portion of these rewards go to cocaine cases. Well, I do not know how far the House is acquainted with the cocaine traffic; it is, I sincerely trust, not at all. But any way, it is impossible to say that *any* sum is too large to pay to stop cocaine traffic. I would like to draw the special attention of the House to this, that last year no less than 293 ounces of cocaine was seized—a quantity sufficient, it is estimated, to provide for the legitimate requirements of the province for three years. So, I say it is worth while spending this sum to stop that cocaine traffic.

However, it is a day of compromises, and as I understand the measure that the Council wish to apply is the figure for 1922-23. I will be prepared to accept that plus Rs. 4,600 which is not for rewards at all. In other words, I am willing to agree to a reduction of Rs. 5,000. If that will satisfy the honourable member I shall be prepared to accept it.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The position has been very clearly stated by the Finance Secretary that if we have increased the amount it is due to the fact that the number of prosecutions are also increasing and that we have to pay a sum to the Government of India—a few thousands which we have got to pay. However, if the honourable mover still persists in the reduction of Rs. 10,000, as a matter of principle I have got no objection. And the reason for my not making any objection is that if we spend away the whole amount during the year, it is open to us to come back to the

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

honourable members of this House and ask for more money. I am, of course, a little bit too familiar with my masters here and I do not hesitate to come more often before them for more and more money for my departments. Therefore personally I have no objection if the mover still wishes to press his motion.

The Hon'ble the President: The question is that the sum of Rs. 5,000 be substituted for Rs. 10,000 in the amendment proposed to the first amendment.

The amendment was put and declared carried.

Rai Bahadur Babu Vikramajit Singh: I challenge a division.

Rai Bahadur Lala Sita Ram: What is the division about, may I know, Sir?

The Hon'ble the President: The division is on the amendment to the proposed amendment. The original motion was for a reduction of Rs. 20,000. Subsequent to that an amendment was moved that Rs. 10,000 be substituted for Rs. 20,000. The subsequent amendment is that Rs. 5,000 be substituted for Rs. 10,000. Those who are in favour of Rs. 5,000 will say "yes," those who are against it will say "no."

Rai Bahadur Lala Sita Ram: The Hon'ble Minister has accepted a reduction of Rs. 10,000.

The Hon'ble the President: No member can accept anything. Only the House can.

Rai Bahadur Babu Vikramajit Singh: I do not know if the Hon'ble Finance Secretary will withdraw his motion.

Mr. E. A. H. Blunt: I withdraw my motion Sir.

The Hon'ble the President: It is too late. The question has been put.

The amendment of Mr. E. A. H. Blunt was put and the Council divided as follows:—

Ayes (1).

Rai Bahadur Pandit Balbhadra Prasad Tiwari.

Noes (34).

Raja Bahadur Brij Narayan Rai.
Mr H. C. Desanges.
Mr. H. David.
Rai Bahadur Lala Sita Ram.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Raja Suryopal Singh.
Chaudhri Sardar Singh.
Pandit Brijnandan Prasad Misra.
Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Durga Narayan Singh.
Babu Dip Narayan Roy.
Thakur Hanumant Singh.
Rai Bahadur Thakur Mashal Singh.
Rai Bahadur Babu Shankar Dayal.

Mr. Muhammad Aslam Saifi.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Chaudhri Amir Hasan Khan.
Maulvi Obaid-ul-Rahman Khan.
Mr Masud-uz-Zaman.
Nawabzada Muhammad Yusuf.
Maulvi Abdul Hakim.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Mr. Ashiq Husain Mirza.
Lieut. Shaikh Shahid Husain.
Thakur Jagannath Bakhsh Singh.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad.

The motion was accordingly negatived.

The Hon'ble the President: The motion now before the House is that Rs. 10,000 be substituted for Rs. 20,000.

The amendment was put and adopted.

The Hon'ble the President: The question is that the demand of Rs. 43,600 Rewards under 6B—Excise be reduced by Rs. 10,000.

The motion was put and adopted.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Tuesday, 11th March, 1924.

The Council met in the Council Chamber, Lucknow, at 11 a.m. The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.	Lieut. Raja Durga Narayan Singh.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.	Lieut. Raja Hukm Tej Pratap Singh.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Rai Bahadur Pandit Balabhadra Prasad Tiwari.
The Hon'ble Rai Rajeshwar Bali.	Pandit Sri Krishna Dutt Paliwal.
Mr. G. B. Lambert.	Babu Parsidh Narayan Anad.
Mr. E. A. H. Blunt.	Pandit Yajna Narayan Upadhyaya.
Kunwar Jagdish Prasad.	Raja Sri Krishna Dutt Dube.
Mr. G. B. F. Muir.	Babu Dip Narayan Roy.
Mr. A. C. Verrières.	Thakur Hanuman Singh.
Mr. C. E. D. Peters.	Raja Indrajit Pratap Bahadur Sahi.
Mr. J. R. W. Bennett.	Pandit Baijnath Misra.
Mr. S. H. Fremantle.	Pandit Govind Ballabh Pant.
Mr. R. Burn.	Pandit Hargovind Pant.
Mr. W. S. Cassels.	Mr. Mukandi Lal.
Mr. A. G. P. Pullan.	Babu Ram Chandra Sinha.
Mr. H. G. Billson.	Raja Shankar Sahai.
Mr. A. D. Ashdown.	Kunwar Rajendra Singh.
Lieut.-Colonel R. F. Baird.	Rai Bahadur Thakur Mashal Singh.
Mr. A. H. Mackenzie.	Babu Sita Ram.
Mr. G. Clarke.	Kunwar Surendra Pratap Sahi.
Raja Muhammad Ejaz Rasul Khan.	Dr. Muhammad Naim Ansari.
Raja Bahadur Brij Narayan Rai.	Mr. Muhammad Aslam Saifi.
Mr. H. O. Desanges.	Maulvi Zahur-ud-din.
Mr. H. David.	Lieut. Nawab Jamshed Ali Khan.
Babu Khem Chand.	Khan Bahadur Kunwar Inayat Ali Khan.
Babu Narayan Prasad Arora.	Khan Bahadur Chaudhri Amir Hasan Khan.
Babu Sengam Lal.	Maulvi Obaid-ul-Rahman Khan.
Babu Mohan Lal Saksena.	Dr. Zia-ud-din Ahmad.
Babu Damodar Das.	Hafiz Hidayat Husain.
Thakur Moti Singh.	Mr. Masud-uz-Zaman.
Rai Bahadur Lala Site Ram.	Nawabzada Muhammad Yusuf.
Babu Bhagwati Sahai Bedar.	Maulvi Abdul Hakim.
Thakur Manjit Singh Rathor.	Dr. Shafa'at Ahmad Khan.
Rai Jagdish Prasad Sahib.	Sayid Muhammad Ashiq Husain.
Chaudhri Sheoraj Singh.	Khan Bahadur Maulvi Fasih-ud-din.
Pandit Nanak Chand.	Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Thakur Rajkumar Singh.	Mr. Ashiq Husain Mirza.
Rai Bahadur Babu Ram Nath Bhargava.	Lieut. Shaikh Shahid Husain.
Rai Amba Prasad Sahib.	Khan Bahadur Chaudhri Muhammad Rashid-ud-din Ashraf.
Rai Bahadur Pandit Kharagjit Misra.	Lala Mathura Prasad Mehrotra.
Raja Suryapal Singh.	Raja Shambhu Dayal.
Chaudhri Badan Singh.	Lieut. Shaikh Imtiaz Rasul Khan.
Chaudhri Sardar Singh.	Thakur Jagannath Bakhsh Singh.
Thakur Sadho Singh.	Rai Bahadur Babu Vikramajit Singh.
Pandit Brijnandan Prasad Misra.	Dr. Ganesh Prasad.
Pandit Bhagwat Narayan Bhargava.	
Thakur Keshava Chandra Singh Chaudhri.	

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

BUTCHERS OF MAHOBIA, HAMIRPUR.

*1. **Thakur Har Prasad Singh** : Is the Government aware that the butchers of Mahobia in the Hamirpur district have been slaughtering cattle for beef and have been sending the meat to Burma without obtaining a licence therefor?

*2. Is it a fact that the district authorities of Hamirpur have prosecuted and convicted such butchers?

*3. Is it a fact that in spite of these prosecutions the export of beef from Mahobia still continues?

*4. Is it a fact that the butchers are trying to obtain licences; if it is so, will the Government be pleased to refuse licences in the interest of agriculture?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

SLAUGHTER-HOUSE AT PANWARI, HAMIRPUR.

*5. **Thakur Har Prasad Singh** : Is the Government aware that the district board of Hamirpur district has resolved to abolish the slaughter-house of Panwari?

*6. Is it a fact that the Commissioner wants to interfere therein; if it is so, will the Government be pleased to stop such interference?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and an answer will be given at a later date.

HONORARY MAGISTRATES.

*7. **Thakur Har Prasad Singh** : Will the Government be pleased to state if it is a fact that the Honorary Magistrates are generally appointed at the recommendation of the District Magistrates?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes.

Lala Mathura Prasad Mehrotra : Is there any maximum or minimum number fixed for each district?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : So far as I know the answer is in the negative.

Lala Mathura Prasad Mehrotra : Has Government ever made any inquiries into the shortage or excess of Honorary Magistrates?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No.

Lala Mathura Prasad Mehrotra : Will the Government be pleased to do so?

The Hon'ble the President : These questions do not arise out of the question on the paper.

*8. **Thakur Har Prasad Singh** : Will the Government be pleased to fix some qualifications for such appointments?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The honourable member is referred to the answer given to unstarred question No. 7 at the meeting of the 26th February, 1924.

REMISSION OF REVENUE IN BANDA AND HAMIRPUR.

*9. **Thakur Har Prasad Singh:** Will the Government be pleased to state the names of the persons in Banda and Hamirpur districts who have been granted remission of revenue as a reward for working against the non-co-operation movement?

*10. Will the Government be pleased to state the particular work of each such grantee?

The Hon'ble Mr. S. P. O'Donnell: Chaudhri Pragi Singh in the Banda district and Pandit Madho Brahman of Mohaupura in the Hamirpur district have been granted remissions of revenue for the reasons stated by Government in the Council debate on the subject on the 25th of October last. Government is not prepared to state the particular work done by each grantee.

ASSESSMENT OF REVENUE IN BUNDELKHAND.

*11. **Thakur Har Prasad Singh:** When was the quinquennial revision of assessment of revenue introduced in Bundelkhand?

The Hon'ble Mr. S. P. O'Donnell: The rules were sanctioned in 1902.

*12. **Thakur Har Prasad Singh:** Will the Government be pleased to lay on the table a statement of the revenue of all the four districts of Bundelkhand, assessed and realized at the time of its introduction and at the revisions held thereafter?

The Hon'ble Mr. S. P. O'Donnell: A statement is laid on the table.

Statement showing demand and collections.

Year.	Jalaun.		Jhansi.		Hamirpur.		Banda.	
	De-	Collec-	De-	Collec-	De-	Collec-	De-	Collec-
	demand.	tions.	demand.	tions.	demand.	tions.	demand.	tions.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1906-07	8,12,569	8,10,280	5,47,888	5,47,748	8,19,646	7,67,923	9,45,552	8,83,539
1907-08	8,12,558	1,85,775	5,47,868	1,41,542	8,27,074	1,39,692	9,26,213	2,24,723
1908-09	8,12,289	7,83,544	5,47,985	5,24,599	8,39,234	7,86,708	9,19,608	8,97,692
1909-10	8,11,908	7,97,373	5,37,935	5,34,838	8,42,005	8,41,552	9,16,475	9,18,260
1910-11	8,24,462	8,21,421	5,51,475	5,49,882	8,41,870	8,40,827	9,27,452	9,27,014
1911-12	8,23,622	8,13,697	5,51,242	5,30,391	8,41,943	8,31,163	9,32,555	9,24,862
1912-13	8,32,072	8,16,064	5,72,596	5,61,983	8,54,866	8,47,277	9,44,061	9,17,735
1913-14	8,29,469	71,234	5,74,848	1,12,814	8,54,705	1,39,593	9,54,89	1,45,735
1914-15	8,36,043	8,31,954	5,68,235	5,48,572	8,54,355	8,29,233	9,54,508	9,04,948
1915-16	8,37,647	8,35,449	5,80,364	5,77,625	8,54,693	8,39,470	9,58,139	9,51,348
1916-17	8,44,015	8,43,671	5,86,958	5,35,321	8,72,743	8,72,161	9,59,583	9,56,407
1917-18	8,55,436	8,54,810	5,92,070	5,89,843	8,89,925	8,89,693	9,62,231	9,56,583
1918-19	8,67,594	2,77,736	5,96,547	3,66,529	8,96,338	3,66,535	9,59,572	3,21,801
1919-20	8,67,286	8,62,620	5,96,618	5,94,127	8,97,097	8,96,752	9,59,573	9,52,683
1920-21	8,89,153	5,72,497	5,95,970	5,76,653	8,97,125	8,31,694	9,60,278	8,05,792
1921-22	8,89,149	8,86,576	5,95,971	5,90,219	8,96,996	8,96,739	9,60,271	8,53,309

ENHANCEMENT OF RENT CASES IN THE UNITED PROVINCES.

***13. Thakur Har Prasad Singh :** Is the Government aware that revenue courts in the United Provinces in enhancement cases of rents under section 43, clause (b), of the Agra Tenancy Act, enhance rents on the basis of average made out from the rates of grains of the last ten years?

The Hon'ble Mr. S. P. O'Donnell : The honourable member is referred to notification No. 2505/1—355, dated the 7th December, 1922, published in the *United Provinces Government Gazette* for December 9, 1922. Government has no information that these rules are disregarded by the courts.

***14. Thakur Har Prasad Singh :** Will the Government be pleased to issue instructions to all the revenue courts to allow enhancements on the basis of the present rates only?

The Hon'ble Mr. S. P. O'Donnell : The answer is in the negative.

DIVERSION OF SARDA CANAL TOWARDS MORADABAD.

***15. Saiyid Muhammad Ashiq Husain :** Will the Government be pleased to plan a branch of the Sarda Canal, or effect a diversion in its course, in order that part of the Moradabad district may be irrigated by it?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

LAND ALONG THE BANKS OF THE GANGES AND JUMNA CANALS

***16. Rai Jadish Prasad Sahib :** (a) Is the Government aware that along the banks of the main Ganges and Jumna Canals there lie in some places tracts of land that are under cultivation and are canal property?

(b) Is it a fact that these tracts of land were originally acquired or purchased from the owners for nominal considerations and are now leased out by the canal authorities to tenants for cultivation?

(c) Will the Government be pleased to state for what object these tracts of land were originally acquired and what purpose they are serving now?

(d) In view of the fact that these tracts of land are not apparently being used directly for canal purposes, will the Government be pleased to consider the advisability of transferring them back to the original owners or their heirs and successors, charging the same prices at which they were acquired, plus the initial expenses, if any, incurred by the Government in clearing or levelling them in order to convert them into agricultural area?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

UNSTARRED QUESTION.

TIME-SCALE PAY FOR DRILL INSTRUCTORS.

1. Chaudhri Jaswant Singh : Is there any question of putting drill instructors on an incremental scale of salary under the consideration of the Director of Public Instruction?

If it is, when is it hoped to come into force?

Kunwar Jagdish Prasad : The honourable member is referred to the reply given to question No. 16 asked by Pandit Soti Vishnu Swarup on the 7th November, 1922.

THE BUDGET, 1924-25.

DISCUSSION OF DEMANDS FOR GRANTS.

Demand No. 2.

HEAD 6—EXCISE.

Maulvi Abdul Hakim : In vi w of the decision of the House yesterday I beg to propose an amendment to my motion that instead of Rs 50,000, Rs 18,000 be substituted. My amended motion will now run ' That the demand under head 6-C of Rs. 2,72,520 be reduced by Rs. 18,000 '

The attitude of the Hon'ble the Minister of Industries yesterday gives me hope that this reduction will be accepted by him. This motion of mine is based on the recommendation of the Economy Committee which have gone fully into the matter and have recommended that 20 posts of excise inspectors be abolished. I on my part suggest that only 15 posts be reduced and this will result in a saving of Rs. 18,000. In view of our present financial condition I hope the Hon'ble Minister will accept my motion.

Mr. E. A. H. Blunt : I should like first to point out to the honourable mover that we have already reduced 12 inspectors. In 1923-24 we had 157 excise inspectors and in the year 1924-25 we have only 145. Consequently of the 20 recommended by the Economy Committee we have already reduced 12. I therefore presume that what the honourable member has proposed is to reduce three more excise inspectors, making a total of 15 in all.

The next point is that when we make a reduction the people who will go will be junior men and their pay is Rs. 100. Consequently the pay of three men for 11 months (we cannot reduce them before 1st April) is Rs. 3,300, and this is the saving which can be effected. I understand, however, that the Hon'ble Minister is prepared to go further and make a reduction of the entire eight posts which will make up the total of 20 mentioned by the Economy Committee. Therefore the total saving under this item would be Rs. 8,800. There are also several other consequential items under travelling allowance, peons and contingencies, which will bring the figure up to Rs. 14,000. If it is possible to slightly vary the motion of the honourable mover, I should like to move that the demand under 6C—Excise be reduced by Rs. 14,000 instead of Rs. 18,000.

Dr. Shafa'at Ahmad Khan : The motion standing in my name also refers to the item under discussion.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As just explained by the Financial Secretary, we have already accepted the recommendation of the Economy Committee and have reduced the number of excise inspectors by twelve. We are now prepared to give effect to what the Economy Committee has recommended in its entirety, and thus to reduce the number of excise inspectors by another eight, making a total of twenty. It will therefore appear that we are prepared to go even farther than what the honourable mover wishes. What, however, we want is that we may be allowed to make a reduction of Rs. 14,000 under the whole head, and not under this particular item, as it will suit us best.

Maulvi Abdul Hakim : In view of the assurance given by the Hon'ble Minister, I beg to withdraw my motion.

The Hon'ble the President : Is it the pleasure of the Council that the motion be withdrawn ?

Objection having been raised to its withdrawal, the motion that the demand under head 6C be reduced by Rs. 14,000 was put and adopted.

Pandit Brijnandan Prasad Misra : In view of the decisions taken by the Council the other day on certain items covered by this motion, I beg to amend my motion, and move that the establishment charges under 6-Excise be reduced by Rs. 4,000 only. Already the number of excise inspectors has been reduced and one assistant commissioner of excise is also going to be abolished. In view of those reductions it seems extravagant that the number of clerks should be increased from 37 to 48. When the excise income is decreasing and the establishment is also decreasing, it seems unreasonable to have so many clerks, and therefore I propose that the demand under detailed account No. 6C may be reduced by Rs. 4,000.

Mr. E. A. H. Blunt : We have got something of a tangle here. You, Sir, are under the impression that the honourable mover wants to reduce the clerks and servants under detailed account No. 6C, but from his speech it is perfectly clear that what he wants to do is to reduce the clerks under detailed account No. 6A. The position is simply this. If his motion refers to detailed account No. 6C, then there are only 13 clerks there, and those clerks have nothing to do with the assistant commissioners of excise. They are merely distillery clerks who have to keep accounts of distilleries. If he had moved this motion yesterday or at the right time under detailed account No. 6A, we should have been able to accept a certain amount of reduction. We cannot now accept a reduction of Rs. 4,000. Rupees 4,000 is the pay of about four assistant commissioners.

The Hon'ble the President : Whatever may be the misunderstanding the actual motion before the Council is that the items of Rs. 7,380 and Rs. 45,222 on page 30 of the detailed estimates under account No. 6C be reduced by Rs. 4,000.

Mr. E. A. H. Blunt : Government objects to the motion as it is.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I believe the honourable mover was not clear when he moved his motion for reduction and Mr. Blunt who knows everything about the budget could not make out where to fit it in. The Excise budget was discussed in the Council yesterday and is also being discussed today, and honourable members will give us the credit that we have been always ready to meet them half way and have reduced a lot. As neither the mover nor the Government are very clear about the present motion, I think it is no use pressing it, and I hope the mover will withdraw it.

The motion was put and negatived.

Rai Bahadur Lala Sita Ram : I move "that the demand under '6-Excise' be reduced by Rs. 100."

The object of my motion is to invite the attention of the Hon'ble Minister to two or three points in connection with the excise policy and

I will traverse the ground hurriedly because we are pressed for time. The first point is that at present licensing boards have no control whatever over foreign liquor shops. Yesterday the Hon'ble Minister told us that there has been a welcome reduction in the consumption of country liquor as well as that of drugs, but I am afraid the consumption of foreign liquor is increasing on the other hand. The number of shops too, because they are not controlled by licensing boards, is increasing. I have not got the figures, but it is increasing. I think it is time now that these foreign liquor shops also were brought within the control of the licensing boards. If the Hon'ble Minister could in this connection throw light also on the consumption of foreign liquor we shall be grateful to him. The second point is that at present the selection of contractors is made on the recommendation more or less of the advisory committees or the licensing boards. I have been told and I have no reason to disbelieve that information that at least one firm in this province has got contracts in no less than 23 districts. The excise committee recommended that the selection should be by ballot. I hope that system will be introduced at an early date in order to avoid this monopoly of contracts in this province. The third point is this. The Hon'ble Minister told us yesterday that the policy of the Government is what it was before the reforms, namely, the maximum of revenue with the minimum of consumption. His predecessor in office, Mr. C. Y. Chintamani, had laid down a slightly different policy. That was the subordination of the considerations of revenue to the cause of temperance. I hope the present Hon'ble Minister will also revert to the policy of his predecessor in office and will not go back to the pre-reform days of the maximum of revenue with the minimum of consumption. We are not interested in the increase in revenue under this head. We are interested in the cause of temperance and are looking forward to the day when this country will absolutely get rid of this cursed evil. The fourth point is about giving rewards to excise inspectors. Those of us who have some experience of the working of excise inspectors know—I am not talking of the class as a whole, but of a few individuals here and there—that because these rewards are given for the detection of cocaine or for other things, the temptation is in their way, and in order to win these rewards they resort to questionable practices. If therefore the system of giving the rewards to officers for doing what is only their legitimate duty for the discharge of which they are paid is discouraged, I think there will be reduction in the amount of rewards and we shall be contributing to the purity of service and to the purity of administration. Then, rewards should be given to honest citizens of reputable character who may give valuable information, and the system of giving rewards to those of disreputable character who are merely tools in the hands of excise inspectors and to themselves should be discouraged. I hope the Hon'ble Minister will say something about these matters.

Pandit Nanak Chand : I put a similar motion on the agenda for raising a general discussion on the excise policy. Some of the points have already been noticed by my friend on my right. Referring to the licensing of foreign liquor shops in large towns he remarked that contracts are given on the recommendations of the Licensing Boards. These Licensing Boards do not exist in smaller towns; they only exist in larger towns. The Hon'ble Minister reminds me of the Advisory Committees, but being a member of some of those Advisory Committees I know that neither the contracts for country liquor shops are given on the advice or

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recommendation of these committees, nor is the licensing of foreign liquor shops subject to their recommendations. If I mi-take not, these Excise Advisory Committees can make recommendations to the department only on the question of location and number of shops dealing in country liquor, opium and hemp drugs.

I also wish to refer to some points in connection with the cause of temperance. I have been informed that charas is neither manufactured in this country, nor is there any chance of its being illicitly manufactured. It is imported, if I am rightly informed, from Afghanistan. I think the Hon'ble Minister should take steps to stop the traffic in this drug and advance the cause of temperance. As regards liquor shops, I would in the interest of temperance suggest to the Hon'ble Minister to take effective steps to see that consumption on the premises is stopped. The result of allowing consumption on the premises is that it offers temptation to every man who wants to indulge in country or foreign liquors unnoticed by others. He is prevented from doing so at home on account of domestic influences, but he is at present allowed facilities to go to a shop and avoid the social deterrent influences. If the Government takes steps to prevent consumption on the premises the domestic influences will bring down the consumption of liquor. I would also draw the attention of the Hon'ble Minister to the desirability of insisting on the closure of liquor shops at sunset hours. The present hours, at least in the winter season, enable those people who are accustomed to the wretched habit to enter the liquor shops away from the social influences. If the shops are closed at sunset the social influences will undoubtedly bring down the consumption of liquor by a considerable amount. Next coming to the system of contracts for liquor shops to which a reference was made by my honourable friend for Meerut and Aligarh I can say from personal experience that at least in smaller districts contracts are not influenced by or subject to the recommendations of the Advisory Committees. These contracts should be brought under their advice and recommendation, and if the Government were to insist on introducing the system of ballot for giving out these contracts in the case of smaller districts, where Licensing Boards do not exist, it will go a great length to prevent the corruption that is found to exist in some of the districts.

Pandit Brijnandan Prasad Misra: I also wanted to make certain observations upon the excise policy of the Government, and it was for this purpose that I had sent up the motion which stands in my name and which is of the same nature as the two previous motions. I have particularly to invite the attention of the Hon'ble Minister to the fact that the excise policy of the Government is declared to be really for trying to reduce the consumption of liquors and other intoxicating drugs to a minimum; but in fact, although a certain amount of reduction is visible on the surface, consumption is not being reduced by the mere increase of taxation on liquors and other intoxicating drugs. When these commodities are highly taxed, the result is that it gives an impetus for illicit distillation, smuggling and other evils of the same kind. These wretched habits do not easily leave the people simply because they have to pay a higher charge for the things which they require for their use. The fact is that although these things are being purchased at higher cost, the people accustomed to them do purchase them and they do so by curtailing the margin of their other necessities. The consequence is that where on the one hand the revenue

of the Government increases, the evil on the other hand does not decrease correspondingly, it rather goes forward as strongly as it did ever before. Therefore the policy of "maximum of taxation, minimum of consumption" is certainly not very sound, although it sounds very feasible to the ears and might, perhaps, lead some people to think that it would subsequently eradicate the evil from the country. It really seems to me to be a great misfortune that our own country, which had ever been one of the most advanced countries in sobriety, has fallen a victim to the use of liquors and intoxicating drugs. I would, therefore, ask the Hon'ble Minister to take a bold step in the direction of devising some substantial check in the cause of temperance. Only the formation of small committees like the Excise Committee such as we had here and the recommendations of the nature that were made by that committee would not really be giving any substantial benefit to the country. It is very necessary that a bold step should be taken, and I would ask for that purpose that the Hon'ble Minister may, if he can not resort to immediate wholesale prohibition, introduce local option. I have been asking for the past three years since I came into this Council that Government take a step in the direction of this beneficial reform, which would, on the one hand, have all the benefits of suppressing the evil by public opinion, because, if public opinion is not sufficiently moulded, the local option will not be enforced in any particular area not wanting it, it would not besides this be the eradication of the evil by legislation alone. For this reason I would ask the Hon'ble Minister to take the earliest steps for introducing a Bill for local option. I would also ask the House to press the Hon'ble Minister to do this, and if the Hon'ble Minister fails in doing it, then it ought to be done by any other member of the Council.

The second thing I wanted to say was in respect to the District Advisory Committees, and it is that these committees have neither the influence nor the control over the excise policy of the districts. I myself am a member of the District Advisory Committee. It was upon my resolution that the membership of these committees was extended to the members of this Council. I had requested the inclusion of the members of Council in these bodies in the hope that the presence of strong men in the District Advisory Committees would exercise some check in the direction of reducing the number of shops. But the fact is that these District Advisory Committees seem to have had no sittings at all. As far as my own district is concerned I know that the committee was never called to meet, and since I have been a member of it I have not known it to sit even once in my district. It might be due to my own undesirable presence or for some other reason, but the fact is, as I do know, the District Advisory Committees have no influence and they cannot effect any reduction in the number of shops. They simply make recommendations which may or may not be given effect to. Licensing Boards may, perhaps, have some power, but they have been introduced in a very small number of districts, and I would ask the Hon'ble Minister to introduce them in all the remaining districts where they have not yet been introduced. If the Hon'ble Minister is not able to do this, I would ask him to extend the rights and privileges of the District Advisory Committees so that they may in fact become capable of exercising some check in that direction.

With these words I conclude my remarks.

The Hon'ble the President: If any member wishes to speak generally on the demand it would be more convenient for him to speak now than when the demand is actually put.

Pandit Govind Ballabh Pant: In fact I had intended to speak on behalf of my party or as one of my party when the general demand would be put to vote, with a view to oppose it, but in view of your ruling or observation, Sir, I consider it advisable to make a few remarks on this subject at this stage. The question of excise has been a constant source of controversy, and it is really a pity that we are still adhering to the make-believe policy of maximum revenue and minimum consumption. There can be only one policy and that should be of extinction of revenue and extinction of consumption. It is really regrettable that that policy has not even been stated to be the policy of the Government. So far as we are concerned, we will not be satisfied even with a declaration of a policy of that character. We want as practical men a consummation of that policy at once, as we do not want to be speculators. I am thoroughly aware of the fact that the investment in the form of excise expenditure is a very tempting one and it yields a very rich outturn. I am also aware of the fact that the excise revenue in our province does not compare favourably, in the language of those who want more of it, with that of the Presidencies, as it varies directly with the length of the British connection; but all the same, everyone should have noticed that the incidence today is more than double what it was 20 years ago and more by 60 per cent. than what it was 10 years ago. Those who say that there has been a reduction in the quantity consumed are simply confining their comparisons to very small periods of time. If we were to go back to a certain length of time we would find that there has been an increase. I am aware of the fact that during the last 4 years there has not been such a swelling in revenue as had been going on for some time previously. But all the same the pendulum has begun to swing back again and we find that the revenue as budgeted for the next year is two lakhs more than the revised estimate for the current year, which in its turn is two lakhs more than that of the actuals of 1922-23. In this connection I would like to disabuse the minds of the honourable members as to a notion which may lull them into a belief that any reduction in the revenue shows a tendency towards the extinction of excise revenue. If you look at the figures for the last 25 years you will find that the periods of excise revenue can be divided into cycles and that in each quinquennium we observe the almost recurring feature of similar fluctuations in the revenue. So that the revenue from 1901 to 1905 went on increasing every year, but the pendulum began to swing back in 1905 and it went downwards till 1910. Then every year the revenue again went up till 1915, which was followed by the same phenomenon of fall in revenue from 1916 to 1918. It has recurred again in recent years from 1920 onwards. So I submit that any reduction in revenue should not lead us to the conclusion that we are in the right course, and if we go on like this, after some time the revenue will come to an end. This is not the case, and unless conscientious and deliberate efforts are made in the interest of temperance, the object which we at least have at heart cannot be attained. The revenue under Excise is a blot in the system of every administration. In our country it is unthinkable that, with all the ordinances that are in our books and with a Minister belonging to the faith of the Great Muhammad in charge of the department, we should still be having our hands in this filthy pie. So, I submit, it is time for us, especially it is time for the Ministers, to think seriously of the position they are in. The position of Government is mostly defended on two grounds. It is the regard for moderate drinkers and it is the desire to

avoid illicit distillation. As to the moderate drinkers, well I do not know whether the word "moderate" has a special fascination in all cases, but I know that, so far as the Government is concerned, sanity and sobriety are not supposed to be the Indian characteristics: whether intoxicants as antidotes take away our native disqualification in this respect I cannot say. So far as general policy is concerned, I submit that it is time for us all to consider the position and to see after all where we are drifting to. The moderate drinker is a phenomenon, he is a myth which nowhere exists. If a drinker is a moderate, especially among men who belong to this country of the tropical regions, it is, perhaps, because he has no money to part with, because he has already been reduced to the pitch of destitution which does not admit of any further expenditure. If the question is studied with care, it will be found that the returns of excise are very closely connected with economic features, and as they develop so these grow. So I submit this is not a question which can in any way be determined on that basis. Moreover, the theory of moderate drinker has been exploded in a place like America, where at a time the Sacrament could not be carried on except with liquor. Here in our parts it is unthinkable to speak of moderation in intemperance. As Mr. Justice Ranade once said:—"Temperance to an Indian can only mean absolute prohibition", that is what we can stand up for and that is the only theory which can be acceptable to us here. It is certainly a corrupt system which can admit of traffic in intoxicants and narcotics. There is another feature of the excise system which is also to be borne in mind. We are concerned not only with spirits and liquors but also with narcotic drugs, which in other places are governed by laws like the Poisonous Drugs Act and so on. They are sold here under the licence of Government. They may be reaction against intoxicants, but we cannot get rid of this vice of narcotic drugs unless the policy of absolute prohibition is adopted with courage. So, from whatever point of view it may be looked into that is the only possible policy that can be adopted by any State, which has any pretensions to approximate the State policy with moral principles.

Coming to the next point about illicit distillation, I submit that even under the present circumstances when you put fabulous prices on the value of things, there is as strong a temptation for illicit distillation as there can be in any system where prohibition is the rule; but with this difference that while in the former case the baneful habit is being confirmed every day and the temptation to get the thing for a smaller value is always there, in the latter case the habit grows feeble for want of the thing and thus the temptation is much weaker. Apart from all that, even if the incorrigible drunkard is seduced the fact remains that the next generation at least will be saved from the curse and for that we must all stand up. There is the question of revenue, which of course looms large with the Government, whatever else it may say. Well as to that, a Government which has so much of sympathy with China as to sacrifice 10 crores a year on that account, should not be very nervous if it does not feed on the demoralizing habits, on the physical deterioration, on the mental aberration and everything that leads to the downward path of ruin, for carrying on its every-day humdrum administration. So, I submit from whatever quarter the question be considered, from whatever point of view we may look at it, it cannot be gainsaid that it will be sinful on our part to be a party to any arrangement which will keep this system alive even for one day more, and those of us who believe in the

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sanctity of religion owe a special duty to vote honestly, to vote conscientiously, to vote (if I may say so) spiritually and religiously to bring about an end of a system which has contributed towards the downfall of society towards the corruption of morals, towards degeneration of domestic life, and towards disruption and nothing else.

Mr E A H Blunt : There have been some very large questions raised in the last debate—local option—a thing that many books are written about; the policy of Government, total prohibition and other subjects of the same type. The point which strikes me most forcibly is that it is now five minutes to twelve and there is another large demand to get through before we get to Education. The only real remedy for intemperance is the spread of education and therefore, the sooner we get to the Education demand the better. Consequently I shall only reply on minor points and I shall be as brief as I can.

The honourable member for Meerut raised the question of the power of licensing boards over the sale of foreign liquors. The real position is as follows. There are about six kinds of licences connected with foreign liquor. One is the hotel licence, another is the restaurant licence, the third the theatre licence, the fourth is the occasional licence, the fifth is the off licence, which is the grocer's licence, the licence of big shops. And finally the on-and-off licences, i.e. the licence of shops where you can go and drink. Well, on-and-off licences are already and have always been under the control of the licensing boards. Nobody seems to know that, as far as I can make out, the licensing boards do not know it themselves. But the fact remains that such licences are under their control. Moreover, if for instance, a railway restaurant sells liquor for consumption on the premises, it must also have an on-and-off licence, and therefore it comes under the licensing board. As to hotel and theatre licences, it is very difficult to see what the licensing board can do in such cases. They can not very well remove the hotel to other premises, and if they refuse the licence the hotel will close. The honourable member further said that he understood there has been a large increase in the consumption of foreign liquor. As a matter of fact the last figures, which I have got here, for 1922-23 show that there has been a decrease from 134,000 gallons in 1921-22 to 79,000 in the succeeding year. That is the figure of issue. As regards consumption the figures of the sales of shops show that there has been a small increase in sales of wine. There has been a decrease in sales of beer and there has been a very considerable decrease in sales of spirits. As regards the number of shops, there was an increase in that year of 34. But foreign liquor licences are not concerned only with intoxicating liquor; they also cover licences for denatured spirits and rectified spirits as well. Well, nobody is going to drink denatured spirits, for it is specially rendered undrinkable. Of the increase of 34, no less than 29 were shops for the sale of denatured spirits. Consequently the increase in shops selling intoxicating liquors has only been five in that year, which is not, I consider, very large.

The honourable member for Bulandshahr wanted us to stop the consumption of country liquor on the premises. Well, we have tried that in several places and we are quite prepared to go on trying. We have, however, to face one practical difficulty; the only way to stop this effectively is by putting the liquor into sealed bottles, and our trouble is that

we cannot get the bottles. They are not made in India; they have got to be of a standard size of course, and they simply do not exist. If the honourable member and his friends will start a company and make bottles, well, then we will do what we can.

All the other points raised were of the important nature that I mentioned at the start. It is quite impossible in the course of five or ten minutes to even touch the fringe of those questions. In theory I agree with a great deal of what has been said; but there are practical difficulties; as there always are: and all I can say is that I hope these matters will be fully considered, but at leisure.

Chaudhri Badan Singh then spoke in Urdu.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The criticism levelled against the department has come from different quarters and, as I said once before, can again be classified under two heads—that coming from those who want to end the system and that coming from those who want to mend the system. I would like to say a few words about the criticism which is rather of a mending nature.

To begin with, let me assure honourable members of this House that whatever party they may belong to there is nobody here, I believe, officials or non-officials, who would not like to spread temperance in this country. My honourable friend the member for Pilibhit said that he would like local option to be given for prohibition. Sir, I do not know how we can possibly have different laws for various districts. In a province, unless the conditions and the surrounding circumstances are very different, there must, as far as possible, be a uniform law. However, I have all sympathy with him in the matter. But I wish to join issue with him when he said that the advisory committees have no voice. Sir, if these advisory committees and licensing boards have no voice

Pandit Brijnandan Prasad Misra: On a point of order, Sir, I did not say that the licensing boards had no power. I said that the advisory committees as such had no power.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: There are only 16 licensing boards and the rest are advisory committees. If these advisory committees have no power, how is it, Sir, that the numbers of shops have decreased from 10,510 to 6,960. It shows very clearly that they enjoyed powers and their recommendations were, as far as possible, accepted always by the Government. One of my honourable friends—I do not remember the name—perhaps my friend coming from my own district, Pandit Nanak Chand—said something about *charas*. We have already increased the duty on *charas* by Rs. 20 per seer. As to its prohibition in these provinces, I may say that it comes from Tibet and Yarkand and it is a matter for the Government of India to decide whether it should or should not be allowed to enter this country.

Pandit Nanak Chand: Is the Local Government required to take a certain consignment in any case?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I think the Local Government are not in a position to govern the rules of tariff, and as for things come from other countries, we do not think that we can stop them. If I am wrong, I hope my honourable friend the Finance Member will correct me. I understand we cannot control them.

[The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan.]

As to hours of sale, we have already curtailed them, as honourable members are aware. As regards increasing the number of licensing boards, I know that so far municipalities with a population of 50,000 have got licensing boards, and next year, after March, I am thinking of reconsidering the whole matter.

Now, Sir, I wish to come to the criticism coming from those who would abolish the whole system. This reminds me, Sir, of what was once said by Bismarck that a good speaker must be somewhat of a poet and therefore cannot adhere mathematically to the truth. Sir, my friends there said that we should abolish the whole Excise department because by so doing, they said, we would be working in the interests of temperance. What will be the practical effect if we abolish the whole department today? If you have no taxation on liquor or other drugs, and if there is nobody to control it, the result would be that a bottle of liquor worth five rupees today would be easily bought, perhaps, for eight annas when there will be no taxation on it, and temperance, instead of increasing, will vanish altogether and people would find it easier to indulge in the drinking of liquor.

Sir, coming again to the same point, now the question before the House is whether this demand under the Excise should or should not be voted. There is no question before the House whether any law of prohibition should or should not be enacted. As it is, the position today at this moment is that whether those who vote for the department would be doing a sin against their religion. I say, Sir, it is just the reverse, because, after all the Excise department is, to a great extent, trying to control the evil and if we had no such department of course there will be no control left and everybody will be free to drink like a fish.

The other point that was brought forward by my friend the honourable member for Meerut-cum-Aligarh is about my own speech and I would like to clear my position with regard to that. If my honourable friend will again read my speech which, thanks to the labours of the stenographers I have got in my hand, he will find that I said nothing objectionable and therefore he need not take any exception to what I said yesterday. What I said was this: "My friend the member for the Chamber of Commerce said that we should not care whether our revenue increases or decreases in a matter like this. I entirely agree with him. The policy of the Government is this that we do not want any increase in our revenue by increasing consumption. This increase of revenue is not controlled by the fact that we would like to have increasing consumption even for the sake of revenue." I think this sentence will satisfy him. Now I hope, Sir, that the demand will be voted.

Maulvi Obaid-ur-Rahman Khan : I had no mind to speak on this proposition, but as one or two honourable members have referred to the orders of holy Islam I think it is my duty to say a few words in this connection. Sir, first of all I am thankful to my honourable friends for having warned us and for asking us to obey our Quran. I do admit that there is no doubt that drink is forbidden by Islam. Not only that but to sell it, or buy it or be benefited by it is also strictly forbidden by Islam. But I fail to understand how by abolishing this department you will be able to put restriction on drink. I think we will make it more easier for our friends who are accustomed to take drinks, for they will have greater liberty. Sir,

those who have some regard for Islam and those who obey the orders of their holy law do not take it now and would not take it even if it should become cheaper. But what about those who do not pay any regard for the holy law? So I do not think that by abolishing this department we will make such people obey the holy law as to become temperate. I am therefore not willing to vote against this department. I do not think it is any use to call upon us in the name of our law to vote against this department.

Thakur Jagannath Bakhsh Singh : There are two points mentioned in the general discussion of the Excise department which have not been replied to by the Government, viz., the sale of charas and the question of sunset closure. I think the Government would not give preference to charas in comparison to any other smoking intoxicant of the indigenous quality, and I hope at the same time the Government would agree that the sunset closure of liquor shops would be useful in the development of temperance movement.

Mr. Mukandi Lal : Mr. President I am as anxious as Mr. Blunt and you are to listen to the learned doctors who will presently be delivering speeches about the institutions which have produced them. I will, therefore, be very brief.

It seems to be the fashion of the Ministers, when they want to speak on excise, to obtain a certificate, if not from this House, from their own pockets and to say: "I am a total abstainer". That is what Mr. Chintamani said in 1921 in his first budget speech on excise: "I myself am a total abstainer". My honourable friend, the present Minister of Excise, also, I believe, in some earlier sittings in this session, did say that he was "a total abstainer". I am glad that for once in my life I am in good company, because I am myself a total abstainer, I am one, not only here in India but I was also a total abstainer in England where the best kind of wine was offered to me free in my Inn—Gray's Inn. Sir, this is the right time, to my mind, to abolish this department. It has not a single word of support from any one in this House except the Government Benches. Here we have a combination of three great religions in the present Government—one religion of the Government, another religion of one Minister, and a third religion of another Minister and I understand it is a very pious combination. Moreover, I know that all of them are very religious people. I say that this is the right moment to refuse supply for excise. Here is an opportunity for this House when it can back us up, in refusing this demand of excise. I do not think anybody outside this Council would curse us if we abolish this department. If we cannot back our leaders in the Parliament of India—the Assembly—in any other manner, we can at least back them by refusing this demand of excise, and tell them that they refused four demands of the Government of India, yesterday, we have refused at least one demand today. Sir, it has been said that the Excise department is maintained with a view to prohibit drinking. If that is so, is this the only way in which drinking can be stopped? If Government is strong enough to stop the freedom of speech by making use of section 144, Criminal Procedure Code in season and out of season, I think it can adopt other methods to stop drinking. The Government is strong enough to put a stop to this vicious habit by resort to other methods. To me, it is not proper for the Government to attempt to stop vice by living on vice. We have been told by some of our friends that our religion—the religion of both Hindus and Muhammadans enjoins us that we should not drink. I do

[Mr. Mukandi Lal.]

not wish to appeal to this Council in the name of religion. To my mind, we should keep aside religion when we meddle in politics. We should look at the question from the point of view of expediency, and national welfare. The whole nation is clamouring that we should purge the country of the evil of drink, and as by refusing to vote for the demand under Excise we would be giving expression to the national voice, we should unhesitatingly do so. With these words, I appeal to the House to refuse the demand under Excise.

Babu Bhagwati Sahai Bedar spoke in Urdu.

Babu Mohan Lal Saksena : Today I rise to appeal to the members of this House to reject the demand on merits, and not on principle. The Hon'ble Minister was pleased to state in his opening speech that the policy of his Government was guided by the principle of minimum of consumption and maximum of revenue. Let us examine that policy. It is very easy to say so, but let us see how far it is being put into practice. If honourable members will turn to the memorandum that has been supplied to them by the Government, they will find a sentence therein to the following effect:— "In view of a good *kharif* and an excellent *rabi* and of the fall in the level of prices, it is legitimate to expect a certain increase in the excise revenue, and the budget estimate is therefore Rs. 2,06,000 above the revised estimate." From this it is clear that the Government is very avaricious and feels gratified at the prospect of an increase in revenue from excise, despite the fact that hundreds and thousands of people will be ruined thereby. The above quotation also shows that the policy of the Government actually runs completely counter to what has been outlined by the Hon'ble Minister when he said "minimum of consumption and maximum of revenue."

May I inquire from the Hon'ble Minister what steps he has taken to minimize the consumption of liquor? Did the Government issue any handbills, leaflets or placards to demonstrate to the people the evil consequences of this habit? Did it issue any caricatures like those issued by the Publicity department showing the forcible conversion by the Moplahs? If the Government was in earnest to see consumption of liquor reduced, I think it was its duty to have taken steps to show to the people how bad the evil of drink is. It should have instituted magic lantern lectures and hundred and one other things, if it was at all serious in the matter.

The Hon'ble Minister was pleased to remark that he was very much gratified to know that on account of the non-co-operation movement there has been a fall in consumption. I say that this is only lip sympathy, this is only lip homage to the non co-operation movement. The movement of non-co-operation is a practical movement. It is not armchair politics. If the Hon'ble Minister is in sympathy with it, if he thinks that the effect of the non-co-operation movement has been that there is a fall in the consumption of liquor, then I think he is in duty bound to resort to those tactics which the non-co-operation movement employed for minimizing the consumption of liquor. We resorted to peaceful picketing. I admit that there were instances where force was resorted to, but I know that even under this Government there are officers who resort to unlawful means, but for that we do not blame the whole system of Government. In the same way we say that there are enthusiasts who might have used some force; but we ought to have been judged by the results we have achieved. Here

I am to offer my co-operation to the Hon'ble Minister in the peaceful picketing, and I hope he will write to the municipalities to take this step at once to minimize the consumption of liquor. Again, I would remind my friend Mr. David what about the Sabbath-day? The liquor is being sold on Sundays. All the offices are closed because it is the Christian Sabbath, but here is the liquor shop which is going on as usual. The Hon'ble Minister was pleased to remark that it is for the convenience of consumers. I say it is not for the convenience of consumers; it is for increasing the revenue of the Government that those shops are being kept open. If it were for the convenience of those sufferers, then I think the State should cater for all the vices of the population. In an article in "Young India" Mahatma Gandhi said:—"If you are going to cater for all the vices of the population, why not cater for the houses of ill-fame? Why should not the Government help thieves to satisfy their propensities for thieving; the habit of drink is a greater evil than the other two. In fact it is the cause of the other two. It is again said that in order to reduce consumption of liquor the Government has put a high price on liquor; but still it makes arrangements for providing facilities for the consumers. The whole situation reduces itself to this, that the Government, which is an unpopular Government, cannot resort to direct taxation, has to resort to other sources of revenue. In fact, it enters the tax-payer's house by a back door without the knowledge of the tax-payer, for it cannot have the courage to face the tax-payer. The Government cannot impose tax directly, because the whole of the taxes that are being taken from the people are not returned to them. As my friend Rai Bahadur Babu Sita Ram said, we shall not be sorry to pay the taxes provided they come back to the people, provided they are utilized for the benefit of the people from whom they are taken, just as the sun takes one-fold water from the earth and returns it a thousand-fold. The Hon'ble Minister was pleased to remark that we are his masters here. But let us examine the statement. He said that he will be coming to us again and again for any necessary increase in expenditure. Let us examine who is the master of the situation in this House. The masters are experts. The Hon'ble Minister yesterday cited the opinion of an expert. He said that there will be a fall in the revenue. Who are those experts? They are the members of the heavenly service. I mean the Civilian bureaucrats. I know that even in this Transferred department of Excise there is a sum which is non-votable. We cannot touch the bureaucrat for this reason; so it is the civilian who is the master of the situation and not we nor even the Ministers. I would ask the Hon'ble Minister to persuade the Civilian bureaucrat to recognize his master's voice as reproduced by us, the representatives of the tax-payers. We are all servants of the public. We are not masters. If there are any masters, they are the tax-payers. We have to look to their convenience. With these few words I appeal to the House to reject this demand *in toto* in the interests of hundreds of thousands of slaves to this vicious habit. Again, it has been said that even if excise duty be abolished the consumption of liquor will not decrease, rather it shall increase. To that I say that the argument is no better than to say that when a person gets drunk, as somebody will steal money out of his pockets while he is not sober, why should not that somebody be the Government? This is the policy to which Government has been resorting. Because there is going to be the consumption of liquor, therefore why should not the Government get revenue out of it? This is simply

[Mr. Mohan Lal Saksena.]

taking an undue advantage of the evil habit of drinking. Therefore I will appeal to the members of this House to reject the demand under this head *in toto*.

The mover then wanted to withdraw his motion, but an objection having been raised to the withdrawal, the motion was put and negatived.

The whole demand of Rs. 6,13,900 minus Rs. 30,000 on account of reductions made by the Council, i.e. a net demand of Rs. 5,83,900 was then put and the Council divided as below :—

Ayes (65).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. M. Fremantle.
Mr. R. Burn.
Mr. W. S. Cassels.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad E'jaz Rasul Khan.
Raja Bahadur Brij Narayan Rai.
Mr. H. O. Desanges.
Mr. H. David.
Babu Khem Chand.
Rai Bahadur Lala Sita Ram.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh
Pandit Nanak Chand.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.
Rai Bahadur Pandit Kharagjit Misra.

Raja Suryapal Singh.
Chaudhri Sardar Singh.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukm Tej Pratap Singh.
Rai Bahadur Pandit Balbhadra Prasad
Tiwari.
Raja Sri Krishna Dutt Dube.
Babu Dip Narayan Roy.
Thakur Hanuman Singh.
Raja Indrajit Pratap Bahadur Sahi.
Raja Shankar Sahai.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Kunwar Surendra Pratap Sahi.
Mr. Muhammad Aslam Saifi.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Kunwar Inayat Ali Khan.
Khan Bahadur Chaudhri Amir Hasan
Khan.
Maulvi Obaid-ul-Rahman Khan.
Dr. Zia-ud-din Ahmad.
Hafiz Hidayat Husain.
Mr. Masud-uz-Zaman.
Nawabzada Muhammad Yusuf.
Maulvi Abdul Hakim.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Muhammad Fazl-ur-
Rahman Khan.
Mr. Ashiq Husain Mirza.
Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Lieut. Shaikh Imtiaz Rasul Khan.
Thakur Jagannath Baksh Singh.
Rai Bahadur Babu Vikramajit Singh.

Noes (23).

Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Thakur Moti Singh.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Thakur Keshava Chandra Singh Chaudhri.

Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhya.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Babu Sita Ram.
Dr. Muhammad Naim Ansari.
Maulvi Zahur-ud-din.
Dr. Ganesh Prasad.

The demand was accordingly voted.

Demand no. 3.

HEAD 47.—MISCELLANEOUS.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head

"47—Miscellaneous" a sum of Rs. 4,96,200 be provided and move that this sum be voted.

Pandit Brijnandan Prasad Misra : I beg to move that the demand

The Hon'ble Mr. S. P. O'Donnell : I rise to a point of order. The motion is out of time.

The Hon'ble the President : Possibly it is technically out of time, but the principle underlying the two days' limit is this, that Government should have a timely opportunity of considering a motion. As we have come to the second allotted day before this motion has been reached—it was handed in on Saturday and we have already arrived at Tuesday—I am inclined to hold that, according as the chance of the debate leads us, if the motions are not within the two days' limit when we actually reach them, then they may be considered to be in time. I accordingly allow this motion to be moved.

To what item does this motion refer ?

Pandit Brijnandan Prasad Misra : It relates to allowances, rewards, and cost of books and periodicals.

The Hon'ble the President : The motion refers to two items, rewards and cost of books and periodicals.

Pandit Brijnandan Prasad Misra : Before I proceed I would like to put a question to the Hon'ble the Finance Member as to for what purpose these books and periodicals are purchased.

Mr. E. A. H. Blunt : I do not know precisely what the honourable member wants to know. The books and periodicals include everything from copies of the "Leader" which are circulated to the members of the Government down to Law Reports, which, no doubt, the honourable member himself consults in the library at Pilibhit. It means practically every book that is purchased for the use of headquarter officers and all Law Reports—especially Law Reports from other provinces. We also have to pay for all the publications we receive from the Government of India and from other provinces. That is a new rule. Formerly provinces interchanged their publications free of charge. Now it is not so, and we pay for any publication received from other Governments. That covers the cost of books and periodicals. If he is also referring to rewards, I cannot follow him in such reference, because it would be out of order, since the charge for rewards is at present in another place.

Pandit Brijnandan Prasad Misra : Mr. President, since the books and periodicals were purchased last year too, I do not think such a large provision is needed this year. Of course, such periodicals as are issued every year might be very necessary and they may be purchased, but I would like to cut the provision for the purchase of books. It, I am sure, covers a very large sum of money. At the same time the amount for the rewards is, I think, also a very big one. I think therefore that from both these items a reduction of Rs 25,000 is not very large and I hope Government will accept it. With these few words I beg to move my motion.

Mr. E. A. H. Blunt : I may inform the honourable member that there is nothing for rewards here at all. If he will look at the first line, he will

[Mr. E. A. H. Blunt.]

find no entry against it. We have transferred it to other heads, as in fact is stated in the memorandum. As to the purchase of books and periodicals, the honourable member seems to think that we ought not to have any more books: may I remind the honourable member that to the making of books there is no end?

The motion that the demand under "47—Miscellaneous" for allowances, rewards, and cost of books and periodicals, be reduced by Rs. 25,000, was put and the Council divided as follows:—

Ayes (22).

Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksona.
Babu Damodar Das.
Thakur Moti Singh.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Chaudhri Badan Singh.
Thakur Sadhe Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.

Thakur Keshava Chandra Singh Chaudhri.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhya.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Babu Sita Ram.
Dr. Muhammad Naim Ansari.
Maulvi Zahur-ud-din.

Noes (64).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fromantle.
Mr. R. Burn.
Mr. W. S. Cassels.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad Wajaz Rasul Khan.
Raja Bahadur Brij Narayan Rai.
Mr. H. C. Desanges.
Mr. H. David.
Babu Khem Chand.
Rai Bahadur Lala Sita Ram.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.

Rai Bahadur Pandit Kharagjit Misra.
Raja Suryapal Singh.
Chaudhri Sardar Singh.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukm Tej Pratap Singh.
Raja Sri Krishna Dutt Dube.
Thakur Hanuman Singh.
Raja Indrajit Pratap Bahadur Sahi.
Pandit Baijuatli Misra.
Raja Shankar Sahai.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Mr. Muhammad Aslam Saifi.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Kunwar Inayat Ali Khan.
Khan Bahadur Chaudhri Amir Hasan Khan.
Maulvi Obaid-ul-Rahman Khan.
Dr. Zia-ud-din Ahmad.
Hafiz Hidayat Husain.
Mr. Masud-uz-Zaman.
Nawabzada Muhammad Yusuf.
Maulvi Abdul Hakim.
Dr. Shafiat Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Maulvi Muhammad Fazl-ur-
Rahman Khan.
Mr. Ashiq Husain Mirza.
Lieut. Shaikh Shahid Husain.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Raja Shambhu Dayal.
Lieut. Shaikh Imtiaz Rasul Khan.
Rai Bahadur Babu Vikramajit Singh.

The motion was accordingly negatived.

Thakur Hanuman Singh: I rise to move that the demand of Rs. 19,535 under "47A—Miscellaneous (Dieting of orphans)" be reduced by Re. 1.

In connection with this motion I do not wish to make any long speech. I desire to know where these orphans are kept, how they are

brought up and disposed of, what is the arrangement for their education, and does the Government make them over for bringing up to those who do profess the religion of the parents of the orphans or not? This is the information that I want.

Mr. E. A. H. Blunt: I have been making inquiries from the members on the official benches to discover somebody who knows anything about the dieting of orphans. Apparently I know as much about it as anybody else. These orphans are mainly famine orphans. The sum of money represents a fixed sum for the maintenance of each orphan, as reported to Government with a small additional sum to meet any unforeseen expenditure in connection therewith. They are, as far as I know, almost entirely sent to orphanages. A large part of these orphanages are, I believe, kept by the Arya Samaj. Certainly all orphans that I have ever had to deal with were sent to Arya Samaj orphanages occasionally private people.

Thakur Hanuman Singh: Are Muhammadan orphans also made over to the Arya Samaj?

Mr. E. A. H. Blunt: I was just going to refer to this when the honourable member interrupted me. Muhammadan orphans go to Muhammadan orphanages or private persons, for occasionally private persons take orphans and adopt them. But most of the orphans go to orphanages. Of course we cannot force them on persons who do not want them, but certainly District Officers always send them when they can to orphanages or private persons of the same religion as the orphans. Occasionally of course it is not possible to find out the orphans' religion: for he is too young to express himself.

Thakur Hanuman Singh: Can the District Officer not find out to which religion they belong?

Mr. E. A. H. Blunt: But orphans are very often—frequently—found deserted in the fields, or on doorsteps. They are too young to express themselves intelligibly: there is no means of finding out to what religion they belong; for it is impossible to discover what religion is professed by most orphans merely by looking at them.

The motion was put and negatived.

Rai Bahadur Lala Sita Ram: I move, Sir, that the demand under "47A—Miscellaneous—(Donations for charitable purposes)" be reduced by Rs. 6,300.

Honourable members will find at page 111 under 47A—Donations for charitable purposes. Now, I do not lag behind anybody for being a party to donations for charitable purposes, whether they be from private or from the public pocket. But the question I am referring to specially is the Provincial Soldiers' Board. I understand, Sir, that this board used to be paid for some time ago by the Government of India, but now by some curious process of devolution it has been transferred to the funds of the provincial Government. With the constitution of the board as such I have no concern. I have no complaint against it, for I know nothing about it. If it is to help destitute soldiers who did such a lot of work during the late war, I think they are deserving of this help and I have no complaint. But it was long ago that the war was over and there cannot be much work now to be done under this head. Probably if an allowance

[Rai Bahadur Lala Sita Ram.]

is being paid to somebody for extra work, the work could be done by honorary agency. I know some times labour of love is deprecated, but if it is for old soldiers and the relatives of soldiers it need not be deprecated by anybody. I think somebody would surely be available who would do this work gratis, and this item should therefore be cut out of the budget.

The Hon'ble Mr. S. P. O'Donnell : If I remember rightly, we had a discussion last year on this subject in connection with the supplementary estimates, at any rate a supplementary estimate for the expenditure of this board was passed by the Council. However, I will endeavour to re-state the facts again. The original Provincial War Board was of course for the recruitment of soldiers during the war. At the end of the war that board was converted into a Soldiers' Board which was to render assistance to soldiers who were not at the time actually in the ranks. For some time the Government of India deferred the whole cost of the board. Subsequently they took the line that the cost of the board ought to fall upon the provinces. Their view was that they themselves would maintain the central board and would subsidize provincial boards, but that a portion of the cost ought to fall on the provinces because the Provincial Board was concerned with soldiers who were at their homes and not serving in the ranks. As a matter of fact they give us Rs. 6,000 every year which is utilized in the formation and maintenance of district committees in a certain number of districts. That arrangement has been accepted by every other province, and, if I remember rightly, it was accepted by this Council in connection with the supplementary estimates. There is no doubt that this board has done a lot of useful work for soldiers. Complaints are constantly being received from soldiers about their pay and pensions and other matters. All these complaints are taken up by the board and as a result of its activities greater attention is paid to these matters. I think it would be very unfortunate if the activities of this board came to an end. But since notice of the motion was given I have looked further into the matter in consultation with the Chief Secretary and we think that we may be able to effect a substantial reduction in the sum. I will go into the matter again and hope the honourable member will take my assurance that I will do what I can to reduce the figure.

Rai Bahadur Lala Sita Ram : Is the Hon'ble the Finance Member desirous that I should move an amendment to the motion—reduce the sum to . . .

The Hon'ble Mr. S. P. O'Donnell : I cannot say what the exact figure will be, but we hope that it will be a substantial reduction.

Rai Bahadur Lala Sita Ram : The difficulty is that though it is a trivial sum, still these small sums swell the deficit with which we are faced. If the Hon'ble the Finance Member would provisionally withdraw the amount, I need not press the motion.

The Hon'ble Mr. S. P. O'Donnell : We intend to re-organize the department, but it is difficult to say what the savings will be. I think there will be a substantial saving—that we would save a substantial portion of the total cost. I hope that will meet the honourable mover. He has my assurance that I will go into the matter and I hope I will be able to make a substantial reduction.

The motion was put and the Council divided as below :—

Ayes (16).

Rai Bahadur Lala Sita Ram.	Maulvi Abdul Hakim.
Rai Jagdish Prasad Sahib.	Dr. Shafa'at Ahmad Khan.
Pandit Nanak Chand.	Saiyid Muhammad Ashiq Husain.
Pandit Brijnandan Prasad Misra.	Khan Bahadur Maulvi Fasih-ud-din.
Rai Bahadur Pandit Balbhadra Prasad Tiwari.	Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Babu Dip Narayan Roy.	Lala Mathura Prasad Mehrotra.
Raja Shankar Sahai.	Raja Sambhu Dayal.
Kunwar Surendra Pratap Sahi.	Rai Bahadur Babu Vikramajit Singh.

Noes (42).

The Hon'ble Mr. S. P. O'Donnell.	Raja Bahadur Brij Narayan Rai.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.	Mr. H. David.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Babu Khem Chand.
The Hon'ble Rai Rajeshwar Bali.	Thakur Rajkumar Singh.
Mr. G. B. Lambert.	Rai Bahadur Babu Ram Nath Bhargava.
Mr. E. A. H. Blunt.	Rai Amba Prasad Sahib.
Kunwar Jagdish Prasad.	Raja Suryopal Singh.
Mr. G. B. F. Muir.	Lieut. Raja Durga Narayan Singh.
Mr. A. C. Verrières.	Lieut. Hukm Tej Partap Singh.
Mr. C. E. D. Peters.	Pandit Baijnath Misra.
Mr. J. R. W. Bennett.	Kunwar Rajendra Singh.
Mr. S. H. Fremantle.	Rai Bahadur Thakur Mashal Singh.
Mr. R. Burn.	Mr. Muhammad Aslam Saifi.
Mr. W. S. Cassels.	Lieut. Nawab Jamshed Ali Khan.
Mr. A. G. P. Pullan.	Khan Bahadur Kunwar Inayat Ali Khan.
Mr. H. G. Billson.	Dr. Zia-ud-din Ahmad.
Mr. A. D. Ashdown.	Nawabzada Muhammad Yusuf.
Lieut.-Colonel R. F. Baird.	Khan Bahadur Maulvi Fasih-ud-din.
Mr. A. H. Mackenzie.	Mr. Ashiq Husain Mirza.
Mr. G. Clarke.	Lieut. Shaikh Shahid Husain.
Raja Muhammad E'jaz Rasul Khan.	Khan Bahadur Chaudhri Muhammad Rashid-ud-din Ashraf.

The motion was accordingly negatived.

The Hon'ble Mr. S. P. O'Donnell: I move, Sir, that the demand under "47C—Miscellaneous—Petty establishment—Paraos and encamping grounds" be reduced by Rs. 1,808.

The reason for this reduction is that this expenditure will now be borne by the Government of India.

The motion was put and adopted.

The Hon'ble Mr. S. P. O'Donnell: I beg to move that the demand under "47—Miscellaneous—Petty constructions and repairs" be reduced by Rs. 11,000. The reason for this is the same as I have just mentioned.

The motion was put and adopted.

Pandit Brijnandan Prasad Misra: I beg to move, Sir, that the demand of Rs. 1,000 under "47D—Contribution to Rohilkhand and Kumaun Railway" be omitted.

I would like, before I proceed, to inquire from the Finance department as to why this demand is being made for the money to be given to the Rohilkhand and Kumaun Railway.

Mr. A. C. Verrières: I understand that this amount is paid as compensation for the levy of tolls on the bridge at Pilibhit. The toll was remitted by the railway.

Pandit Brijnandan Prasad Misra: I beg leave to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

Rai Bahadur Babu Ram Nath Bhargava : I move, Sir, that the grant of Rs. 18,000 (47D—Miscellaneous—Abolition of tolls on the Muttra bridge) be reduced by Re. 1.

I would like first to bring some little history of this bridge before the honourable members of this House. This bridge was built more than 38 years ago, from provincial funds by the Cawnpore-Achnera State Railway and afterwards the management of that railway, together with this bridge, was handed over to the Bombay, Baroda and Central India Railway and was no longer under the control of Government. The case of freeing this bridge from tolls has remained unattended to for the last 38 years. From 1907 memorials were sent to Government and prayers were made, but to no effect. The answer from time to time was simply given that the railway company which had the management of this bridge and derived income from it were asking for a contribution of three lakhs of rupees as compensation if the toll was to be given up. This won't be out of place to say that almost all the big bridges in the province, made before or after from provincial or private funds, have been made free from tolls. But the fate of this bridge has remained just the same and nothing was done, as there was no money available : neither the Government was pleased to contribute nor the municipal and district boards of Muttra were in a position to pay. Besides, this bridge is a single-storey bridge and the railway line runs side by side with carts-way. It imposes a great hardship on the general public, as the traffic is closed half an hour before and after the train is expected to pass. In 1920, Sir Harcourt Butler, the then Lieutenant-Governor of these provinces, was pleased to make a visit to Muttra and the municipal board of Muttra then presented him with an address, in which they prayed that this question may be taken up. This question was then taken up and correspondence was made with the Railway Company. Since then the Government has been pleased to admit that it was very desirable that this bridge should be made free ; but unfortunately the financial stringency came in the way and the question was dropped again.

On the 26th February, 1923, I put this matter before the Council in the form of a resolution and the Hon'ble the Finance Member was pleased to say that it is desirable that this bridge should be made free and there was no difference of opinion about it. But unfortunately there was no money then. The Hon'ble the Finance Member assured us that it will be taken up as soon as funds permit and desired me to exercise a little more patience and be content to wait a little longer. I am very fortunate today that the long-expected day has come and the patience is to come to an end and that the desire and prayers of the residents of Muttra is to be fulfilled. The honourable members will see that this is not a question which affects the residents of Muttra only. It affects residents of other places also of this province and of other provinces alike, as Muttra is a most sacred place of Hindus and thousands of people come every day from all parts of the country. They go to Gokul and Baldeo on the other side of Muttra and have to pass over this and pay the toll in addition to railway fare. That is a great hardship, as the toll is very heavy. It is Rs. 2 on motors and other four-wheelers and Re. 1 on two-wheelers.

I do not want to take up the time of the Council any more. I simply wanted to draw the attention of the honourable members to the desirability of getting rid of the tolls on this bridge and making it free and I thank very much the Hon'ble the Finance Member for his kindly taking up the case and providing in the budget, I therefore withdraw the motion.

The motion was, by leave of the Council, withdrawn.

Mr. Masud-uz-Zaman : I wish to make a slight change in my original motion and I would like to put it as follows, with your permission:— That the demand of Rs. 6,250 under 47E—Miscellaneous be reduced to Rs. 3,000.

The item on page 113 appears to be for commission on collection and sale of waste-paper—Rs. 6,250, while on the receipt side the income expected out of the proceeds of the sale of waste-paper is Rs. 11,000. As I understand that the commission will be given for the sale and collection of waste-paper, I think for an income of only Rs. 11,000 the figure already provided is too large and I want to reduce it to half.

Mr. E. A. H. Blunt : The honourable member is quite correct in saying that this money is to be paid as commission to clerks for collecting waste-paper and for preventing paper being wasted or destroyed so that it may be sold. But he is quite mistaken in supposing that all that we get is the Rs. 11,000 which is shown as an individual item on page 9. In fact that refers to a particular type of paper in the revenue record room. In addition to that, if he will look at page 20 he will find an entry "Other items." Out of the sum there provided, a sum of Rs. 55,000 is for the waste-paper of all the offices in the province. The total income therefore got from the sale of waste-paper is not merely Rs. 11,000 but Rs. 66,000 and Rs. 6,250 is not much of a sum to pay to make sure of Rs. 66,000, especially when in the past we never got more than Rs. 10,000 for waste-paper in any year. The income has really gone up from Rs. 10,000 to Rs. 66,000.

Mr. Masud-uz-Zaman : But I gather that this sale takes place after several years.

Mr. E. A. H. Blunt : This system of commission was introduced for the first time this year on the recommendation of one of the retrenchment officers with the special object of arranging that the paper should be collected and consequently that Government should not lose. Formerly, the waste-paper was taken away by the peons and sold for their own benefit; now there is a clerk whose duty it is to collect the waste-paper and get it sold on behalf of Government. Consequently, we now get Rs. 66,000 instead of the Rs. 10,000 which we used to get; and for that sum we pay Rs. 6,250 as commission. If we reduce it to Rs. 3,000, our receipts will also go down.

Mr. Masud-uz-Zaman : In view of this explanation I withdraw my motion.

The motion was, by leave of the Council, withdrawn.

Pandit Brijnandan Prasad Misra : I desire to move that the demand under 47E—Miscellaneous charges be reduced by Rs. 25,000. The total sum which has been asked for under the demand is Rs. 1,67,239. The various items of which the whole demand is composed are—

- (1) Construction of boundary pillars, for which Rs. 4,989 has been budgeted. This is a very large sum and there seems to be a margin of reduction in this sum.
- (2) Commission on the collection and sale of waste-paper.

The Hon'ble the President : That has already been dealt with.

Pandit Brijnandan Prasad Misra : The other items are special rewards, miscellaneous charges, and abolition of coolie *utar*. Now, Sir, for the working of every department rewards have been separately asked for and it seems to be incomprehensible why a sum of Rs. 20,000 should have been asked for special rewards. The nature of these rewards is also not known and a very big sum has been asked for. Miscellaneous department is by itself something which is not easily understood. I think I might very well liken it to an item which is generally found in the accounts of karindas of zamindars, who put down every pic of expenditure which they want to expend for various purposes. In addition to that, they keep an item which they call "miscellaneous." They ask for a sum of money for each item of expenditure and then they put down a sum for it which really is an extra sum and which is oftentimes not expended and yet the master has to pay it. Miscellaneous department has got another item which is known as "Miscellaneous" and for which Rs. 8,000 has been asked. Now the nature of these miscellaneous charges is also not known. Then, for each department a large sum of money is asked for and each department is separately over-budgeting for its expenditure. It seems to be absolutely incomprehensible why in the Miscellaneous department special rewards and all these sorts of items should have been introduced. Another thing which I want to bring specially to the notice of this House is that a very large sum of Rs. 1,28,000 has been asked for under this head for the purpose of coolie *utar*. When the practice of coolie *utar* was in vogue and when questions were put in the Council, the Government invariably answered that coolies were being paid properly for the work which they did and then such a big sum was never put in the budget. But since the Council insisted on this practice being abolished, the Government seems to have found an opportunity of putting down a very big sum for that purpose. Coolie *utar* was prevalent, particularly in the three districts of Garhwal, Naini Tal and Almora. In all these districts Government spends Rs. 1,28,000 for the purpose of paying the charges of coolies. This is really a very big sum, and although a sum of that sort has been allowed in the past, the same sum should not be allowed to go on increasing every year. From the revised estimates of last year we find that Rs. 1,20,000 was actually required for expenditure. This year Rs. 1,28,000 has been budgeted for, which really seems to be inexplicable. Labour charges in the whole country have practically come down, and it seems to me extremely unreasonable that this sum should go up to Rs. 1,28,000. If each item of the demand is considered the House will see that there is certainly a margin for cutting it down by Rs. 25,000, and the sum of Rs. 25,000 is only a moderate sum. I hope the Council will pass it.

Pandit Nanak Chand : Sir, my motion relates to a particular item and I would like to substitute Rs. 8,000 for Rs. 10,000.

The Hon'ble the President : The motion is to reduce the demand by Rs. 8,000 instead of Rs. 25,000.

Pandit Nanak Chand : Yes, Sir. My motion relates to the item of coolie *utar* to which reference has been made by my honourable friend the member for Pilibhit.

The Hon'ble the President : I have not ruled this particular motion out of order, but it is scarcely in order. Anyone can see why it is so. We have under this heading items dealing with such diverse matters as

boundary pillars, waste-paper, special rewards and coolie *utar*. It is impossible for me to know what are the items to which a general motion refers. We saw just a minute ago that though we had dealt with waste-paper on a particular motion, the honourable member for Pilibhit was returning to it once again. If honourable members will put down definitely the item to which their motions refer, it will be much easier for general discussion.

Pandit Nanak Chand : Can I move my motion separately because it refers to one particular item?

The Hon'ble the President : The honourable member can go on.

Pandit Nanak Chand : My honourable friend from Pilibhit has already pointed out that last year the sum budgeted for coolie *utar* was Rs. 1,28,000, while from the revised figure we understand that the expense would be about Rs. 1,20,000. Government is again asking for Rs. 1,28,000. I think that Government, in view of the financial position, will make a reduction and bring the figure to the level of the revised figure.

The Hon'ble Mr. S. P. O'Donnell : I am prepared to agree to the reduction of Rs. 8,000 under the head "coolie *utar*." According to the revised we are spending this year Rs. 1,20,000 and we will endeavour to see that the expenditure next year is kept down to Rs. 1,20,000. But I do not see how we can make any reductions under other heads. For "construction of boundary pillars" we have provided a small sum merely based on the best calculations available. We have already dealt with the question of commission on the sale of waste-paper. The entry under "Miscellaneous charges" is simply an estimate. These charges are charges which are unforeseen, and we cannot specify them because they are charges which cannot be foreseen at present. We have put down the usual figure, Rs. 8,000, on this account. And the entry of Rs. 20,000 is also a stock figure. But I am prepared to agree to a reduction of Rs. 8,000 under "coolie *utar*."

The Hon'ble the President : The original motion was that the demand under 47E—Miscellaneous be reduced by Rs. 25,000; since when a motion has been made that Rs. 8,000 be substituted for Rs. 25,000. The question is that this amendment be made.

The motion was put and adopted.

The Hon'ble the President : The question is, that the demand under 47E—Miscellaneous be reduced by Rs. 8,000.

The motion was put and adopted.

The Hon'ble the President : The original amount of the demand was Rs. 4,96,200 under the head 47—Miscellaneous. Since then motions of reduction have been adopted by the Council, amounting to Rs. 20,808, leaving a net demand of Rs. 4,75,392. This is the motion before the Council. The question is, that the demand of Rs. 4,75,392 be granted.

The motion was put and adopted.

At this stage the Council adjourned for lunch.

The Council re-assembled after the luncheon interval with the Deputy President in the Chair.

Demand No. 4.

HEAD 31.—EDUCATION.

The Hon'ble Rai Rajeshwar Bali : I rise to communicate to the Council the recommendation of His Excellency the Governor that a sum of

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Rs. 1,67,88,500 be granted under head "31—Education" and move that this amount be voted. In addition to this amount a sum of Rs. 4,38,600 appears under the same head as non-votable, making a total grant of Rs. 1,72,27,100.

Before I discuss the figures, I should like to express my appreciation of, and gratitude for, the work of my predecessors in office—the Hon'ble Mr. C. Y. Chintamani, the Hon'ble Pandit Jagat Narayan, and the late Hon'ble Raja Parmanand, through whose devoted efforts in the cause of education these figures have been achieved. Although we are divided in this House into different political groups, we are united in a desire to see education expand and improve. Whatever our individual political views may be, we share the conviction that expenditure on education is the most profitable investment of the State, for it aims at the development of the vast human resources of the country. The cause calls upon men of all parties to unite in a spirit of mutual help and co-operation. It is one cause which we all have at heart, for it is no less than the physical, economic, and moral uplift of the people.

By way of preface to my analysis of the budget which is before the House, I should like to say a word or two about the progress made during the year which is drawing to a close. Unfortunately my honourable predecessors had their schemes for development and improvement arrested by the difficult financial circumstances which faced the Government at the opening of the year. But there has not been stagnation. Committees have been at work, in the words quoted by my honourable predecessor, Mr. Chintamani, "Committees to solve, not to shelve." A special committee appointed by Government to examine the question of the training of vernacular teachers has made recommendations which have been approved by Government, and will, it is hoped, result in considerable improvements in the methods of training teachers for vernacular schools. Another committee, the effects of whose work will be felt throughout the whole of our educational system, is the committee which was appointed as the result of a resolution moved in this Council by Rai Bahadur Lala Sita Ram to revise the Educational Code. This committee consisted of officials and non-officials and was fully representative of all educational interests. It has completed its work in a thorough manner and Government are indebted to the members for the time and labour which they gave to an arduous task. Its recommendations are now being collated by the department and will be considered by Government in the spirit in which they were conceived.

Another scheme from which much benefit to the education of the provinces may be expected is the one for foreign scholarships. A modest start has been made in the present year by the provision of three scholarships, and the scholars are now in England,—one studying Western methods of education, another engaged in research work in biology, and a third receiving technical training. A scheme which has not cost any money but which will be productive of much good, is one which has been introduced with the co-operation of the St. John Ambulance Association for the teaching of First Aid, Hygiene and Sanitation in schools. Although it has been in operation for only a few months, there are already over 2,000 pupils taking the course. We hope that by this scheme we have solved the vexed problem of how to impart a knowledge of the fundamental principles of Hygiene to school children. The new schemes which were

dependent on the provision of funds were necessarily few, as funds were restricted. New buildings have been erected at the Agra College and were opened this year by His Excellency the Viceroy. The Isabella Thoburn College, Lucknow, with the help of generous gifts from America, supplemented by assistance from Government, is now housed in up-to-date and imposing buildings at Chand Bagh; and the Sonatan Dharm College at Cawnpore has made progress towards the completion of its building scheme. Biology classes have been opened at the Government Intermediate College, Allahabad, and five aided high schools have been raised to the intermediate stage. Muhammadan education has benefited by the completion of the Hewitt Muslim High School, Moradabad.

Turning to vernacular education, the House will be interested to know that in the current year Rs. 1,10,281 has been apportioned to district boards for the expansion of education amongst the depressed classes and a sum of Rs. 77,153 has been allotted for the expansion of female education. The experiment of starting night schools in municipalities was continued during the current financial year. Grants received from Lucknow, Cawnpore, Meerut, Bareilly, Agra, and Allahabad justify the continuance of the grants made for the purpose, and they are therefore being included in the budget as recurring grants for the retention of the scheme as a permanent feature of the educational activities of these boards. Compulsory primary education was introduced in the current year in Brindaban, Konch, Lucknow, Roorkee, Farrukhabad-sum-Fatehgarh, and Meerut municipalities and the Education department is in correspondence with twenty more boards in regard to the introduction of compulsion. The scheme is now in force in fourteen municipalities.

I turn now to an explanation of the budget which is before the House. It will be noticed that the total charges for education show an increase of Rs. 8,03,676 over the figures for last year. Excluding non-recurring provisions totalling Rs. 3,95,000, made last year, there is a normal increase of Rs. 2,22,457, in expenditure due to increased grants-in-aid, annual increments in salaries, etc. The new expenditure shown in the schedules amounts to Rs. 8,86,219. Of this sum, Rs. 1,18,659 is recurring and Rs. 7,67,560 non-recurring. In addition to these amounts, a sum of Rs. 1,28,061 for education is included in the schedules of the Public Works department. These figures are a considerable advance on the corresponding figures of the last year. There is another satisfactory feature about them. Whereas last year the Education department, was obliged to reduce its budget under various heads in order to get new expenditure accepted, this year the addition has been made without any *quid pro quo*. This happy result I owe to the very sympathetic and helpful attitude of the Finance department. Both the Hon'ble the Finance Member and the Financial Secretary have met our demands in the most generous manner possible. Their attitude has been not "How little can we give?" but "How much can we give?" I take this opportunity to express to them the grateful thanks of the Education department. A glance at the schedules of the various departments will show that, excluding civil works which include demands from all departments, the share of new expenditure allotted to education far out-distances that of any other department. This of course is as it should be. The Education department is not merely a nation-building department but it is *the* nation-building department. Political progress, social reforms, and industrial prosperity wait upon an

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extension and improvement of our educational system. Advance towards the goal of self-Government depends upon the broadening of the electorate by the spread of education. Propaganda for improvement in agriculture, public health, and sanitation is impossible amongst an ignorant people; our industries and commerce cry out for men more highly trained and skilled. Social evils, communal differences, and all else that hampers the progress of the country towards nationhood will disappear only with the spread of that enlightenment and toleration which education brings in its train.

I shall now refer to some of the chief items for which new expenditure has been provided. The House will notice a number of small items for additional equipment, furniture, and so on for Government institutions. These requirements have been most carefully scrutinized by the Education department; they are long overdue and many of them have been carried over from last year when they were excluded from the budget on account of financial stringency. As regards other items, it would only weary honourable members if I were to describe them individually. All I think I need do is, to indicate to the House their range and variety and show how every grade of education and every section of the community is to benefit from it. If the honourable members desire further information about any particular item, I have no doubt that the Director of Public Instruction will be glad to answer inquiries.

Taking first, primary education. I would invite attention to a modest sum of Rs. 4,920 for improving the pay of model school teachers. The last Council passed a resolution in favour of improving the lot of these teachers. Although it has not been possible to find the funds to place them on a time-scale, we have been able to give increments which will result in immediate relief. Provision is being made in the budget of the Agriculture department for training teachers of middle vernacular schools at the Agricultural School, Bulandshahr. Government attach considerable importance to this scheme. The criticism has frequently been made that our vernacular schools are too literary in character and that the instruction imparted in them is divorced from the life of the pupil. We now propose to introduce agriculture as a subject in selected middle vernacular schools, thus providing a cheaper means than Government have hitherto attempted of diffusing widely a knowledge of improved methods of agriculture. The proposal has been well received by district boards and several of them have agreed to contribute to the cost. The first step will be to train teachers, and it is with this end in view that the particular item to which I have drawn attention has been included in the schedules. Provision is made also for the improvement of primary schools in the same direction. Amongst those who have been severe critics of our primary educational system is Mr. Fremantle. Honourable members will have read with interest his note on rural primary education appended to the report of the Economy Committee. He presses for the introduction of nature study courses and the establishment of school gardens. Here, again, we must begin with the training of teachers and accordingly provision has been made for the appointment of teachers, of nature study in six normal schools, which supply the point at which instruction of this kind, if it is to be properly carried out, must start. Another item to which I attach importance is assistance to the district boards of Cawnpore, Allahabad and Lucknow, towards the establishment and maintenance

of libraries. The Government are anxious to develop in towns and villages a system of free circulating libraries. We have a scheme ready. Unfortunately, on account of financial stringency it had to be shelved; but we do not intend to allow it to rest as a paper scheme. The provision which has been made on this account in the current year's budget is to test the scheme in three districts where district boards have agreed to co-operate in furthering it. If in these districts it is found to be a success we shall extend the scheme to other districts as far as funds are available. Another scheme by which we are endeavouring to spread enlightenment amongst the masses is our scheme of lantern lectures for which we have made a provision of Rs. 4,000 per annum. The object of these lectures is to spread popular education amongst the illiterate adult population in such subjects as irrigation, agriculture, forestry, industries and hygiene. The scheme has already proved a success and is appreciated by district boards. The provision of Rs. 5,000 which we are making in the schedules for the depressed classes may appear small, but the object of this grant is merely to enable us to meet urgent demands which arise in the course of the year. In addition to this sum, provision for special schools for the depressed classes is made in the budget to the extent of Rs. 1,01,411. I have already referred to our scheme for the development of hygiene teaching in schools. We intend next year to extend it to vernacular schools and accordingly provision is made for the teaching of hygiene and first aid in all normal schools. It will thus be seen that in several directions we are endeavouring to vivify our system of primary education.

It has been a matter of great gratification to me that, as shown in the general budget debate, honourable members are so much interested in the cause of primary education. Belonging to the rural areas as I do, it has been my ambition to devote myself to this cause as best as I could; and the attitude of my friend gives me very great encouragement indeed. But in order to be successful, we shall have to overcome a number of difficulties and in doing this I hope my honourable friends will help and co-operate. It has been found that we do not get the best value out of the money spent on primary education because the boys are not allowed to stay long enough to finish their courses.

Then we are sure to meet with some opposition from the illiterate masses and it is here that the co-operation of my honourable friends is most needed. I hope when our primary education enthusiasts, particularly those representing rural areas, will go back to their constituencies they will do their best to educate the people and prepare the ground for compulsion.

Some concern has been shown by honourable members during the general budget debate, over the fact that, while there have been increases in other heads of educational expenditure, the grants to district boards for primary education have not been increased. I may mention that this is due, not to lack of desire on our part to give district boards the funds they require, but to the fact that portions of such grants to these bodies have been lapsing year after year as the boards were unable to spend them. We have, however, decided that the amounts that lapse—probably over four lakhs—shall be given to the boards in addition to the amount provided in the budget. In order to further help the boards in this matter, we have decided that at least for the next three years no unspent balances will be resumed. Thus actually we are giving to boards much more assistance

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than is shown in the budget. At this stage I desire to announce the decision of the Government in regard to a matter in which my Musalman friends are deeply interested. Government have after careful consideration come to the conclusion that, in the existing circumstances the post of the Deputy Inspector of Muhammadan Schools shall not be brought under reduction as was recommended by the Economy Committee. I now turn to the education of girls. There is no branch of education which deserves more encouragement from Government. The backward state of girls' education is a reproach to the province, and I am sure I shall have the support of every member of this House, irrespective of party, in any practicable measure which I am able to adopt for removing it. There are obstacles which are difficult to surmount. Chief amongst them are the apathy of the people and the dearth of teachers. But wherever there is the least opportunity of advance, I am determined to seize it. This is one field in which there can be no retrenchment; on the contrary, our constant aim must be more progress, greater development, and further, expansion. Even where we have found economies to be possible, as in the abolition of the Government School for Indian Girls, Lucknow, we have not resumed the funds but have diverted them to meet the urgent needs of Government model schools for girls. This is the explanation of an item which will be found in the schedules under the heading "Miscellaneous grants for the improvement of girls' schools." But in the education of girls I believe progress lies mainly in the direction of stimulating and supplementing private efforts. Among the grants which find a place in the schedules for supplementing the efforts of private bodies for the spread of girls' education are Rs. 11,850 to the Muhammadan Anglo-Oriental Girls' School, Aligarh, bringing the total grant given to this institution up to Rs. 1,05,000; Rs. 9,031 to the King Edward Girls' School, Saharanpur; Rs. 19,036 to the Rakha Anglo-Vernacular Girls' School, Fatehgarh; and Rs. 24,401 to the Kanya Pathshala, Dehra Dun.

In regard to the secondary education of boys also the policy of Government is to assist, as far as funds are available, private bodies wherever they are prepared to bear half of the cost. Practical effect is given to this policy in the present schedules by assisting managers of secondary schools for boys with building grants which aggregate Rs. 2,28,510. In regard to Government secondary institutions, the chief item which calls for special mention is the provision made for the provincialization of the King George's High School, Lansdowne. The Economy Committee recommended that progress in secondary education should be in the direction of devolving the management of Government schools upon aided bodies rather than in converting schools managed by private bodies into Government institutions. Government agree with this principle; but it cannot be applied too rigidly. In the case of the King George's High School, Lansdowne, the committee of management and the regiments stationed at Lansdowne have urged that the school should be taken over by Government. Although the committee has done its best to maintain the school with the help of Government grant-in-aid, its resources have not been sufficient to put the school on a satisfactory basis. One factor making for instability is that the regiments change from time to time. As Garhwal is short of facilities for English education and this particular school serves a community which has rendered the country exceptionally

good service during the war, Government think that the case is one for special treatment.

As regards Intermediate Education, Government have, during the past two years, been hampered by the dearth of funds in giving full effect to the Intermediate Education Act in the spirit in which that Act was passed by the Council; but there is no reason to be dissatisfied with the progress that has been made or to doubt the wisdom of the present policy. The Board of High School and Intermediate Education has made a good start and the report of the Director of Public Instruction gives ground for hope that the Board will prove of great benefit to the province. The schedules of new expenditure show an item of Rs. 44,000 for carrying on the work of the Board. This merely represents the third and last instalment of the estimates of expenditure which were framed before the Board was constituted and is due mainly to the transference of the Intermediate and Matriculation examinations from the Allahabad University to the Board. The additional expenditure will be covered by increased receipts from examination fees. Amongst the aided Intermediate Colleges for which provision is now made in the form of building grants are the Daya Nand Anglo-Vernacular College, Dehra Dun, which receives Rs. 57,644, the Chandausi Intermediate College, which receives Rs. 53,260, the Kankubja Intermediate College, Lucknow, which receives Rs. 38,765, and the St. Andrew's College, Gorakhpur, which receives Rs. 35,000. All these colleges have already contributed at least equal amounts from private funds, and the additional grants for which provision is now made will enable them to supply much-needed accommodation and equipment for the development of intermediate work.

As regards university education, the grant for the Allahabad University is the same as in 1923-24, but an additional grant of Rs. 1,00,000 recurring and Rs. 1,50,000 non-recurring has been made to the Lucknow University. The additional recurring grant to the Lucknow University represents the amount by which the grant for this university was cut down last year on account of financial stringency. On the recommendation of the Economy Committee, Government have decided to appoint a committee to examine the financial affairs of these universities. This Committee will report on the steps that can be taken to co-ordinate the energies of the two universities to prevent overlapping in special branches of study, to abolish posts for which there is not sufficient justification, and to scrutinize expenditure generally. I may announce the personnel of the Committee. The Committee will consist of—

Mr. E. A. H. Blunt

... *Chairman.*

Members :

- (1) Dr. Zia-ud-din Ahmad.
- (2) The Hon'ble Mr. Justice Kanhaiya Lal.
- (3) Rai Bahadur Lala Sita Ram.
- (4) The Director of Public Instruction.
- (5) Thakur Rajendra Singh.
- (6) Thakur Jagannath Bakhsh Singh.
- (7) Mr. M. B. Cameron.
- (8) Dr. Said-uz-zafar Khan.
- (9) Dr. Ganga Nath Jha.
- (10) Mr. Allen Grant.

Mr. Harrop will act as Secretary.

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The associated colleges which have made an effort on their own behalf are receiving assistance from provincial funds as far as these are available. One of the most conspicuous examples of private effort in higher education is the Sanatan Dharm College, Cawnpore. For this college Rs. 40,000 are provided in the schedules. Although this amount is less than what is due to the college on the principle of rupee for rupee, it is hoped that it will enable the management to provide for their most pressing needs. Other items of expenditure in connection with aided colleges which deserve mention are the grants towards increasing the pay of lecturers at the Agra College and the St. John's College, Agra, and for assistance to the latter college for the opening of Bachelor of Commerce classes.

Of the miscellaneous items, I need mention only the provision for additional foreign scholarships to which I have already referred. In the ensuing year provision will be made for two scholarships : one for the Lucknow University and one for the Allahabad University, bringing the total number of foreign scholarships to five. In future years Government hope, if funds are available, to increase the number until ultimately full effect is given to the recommendations of the Foreign Scholarships Committee.

Mr. President, I have now completed my explanation of the educational budget. I have endeavoured to bring its chief features to the notice of the House. If I have been obscure I shall welcome inquiries and if I have failed to satisfy honourable members I shall welcome criticism. The problem of our giving our country a system of education adequate to its needs and satisfying the aspirations of the people is a difficult and complicated one. It cannot be solved by the Government or by the Education department alone, nor can it be solved by any group in this House working in isolation. If our system of education is to be national in the real sense a system which extends its benefits to all classes of the community irrespective of their race, religion or caste, if it is to satisfy the needs of all communities irrespective of their circumstances, if it is to advance the nation along the road leading to the progressive realization of responsible government expressing the will of a people united in mutual trust, toleration and helpfulness, it must be built up by the earnest constructive thought and unceasing devoted efforts of all who have at heart the interests of our province and the advancement of its people.

Hafiz Hidayat Husain : May I ask the Hon'ble Minister as to what was the proportion of the grant allotted to Muhammadan schools ?

The Deputy President called upon Pandit Nanak Chand to move his motion No. 1 on the order paper.

Pandit Nanak Chand : I would like to amend my motion and lower the amount to Rs. 1,50,000 if I am permitted to do so.

There being no objection, the Deputy President permitted the motion to be amended accordingly.

Pandit Nanak Chand : I move that the demand for Lucknow University under "31A—Education University" be reduced by Rs. 1,50,000.

On account of the pressure of time I would not dilate upon the motion, but refer the honourable members to the schedule of demands, page 66. They will find that the amount budgeted last year for the Lucknow

University was Rs. 7,30,000 and this year it has been raised to Rs. 10,93,720. The increase amounts to Rs. 3,63,720. I do not grudge any amount of money for the universities or for the Education department, but only with a view to meet the present financial situation, I have suggested this reduction and I hope that the Hon'ble Minister will see his way to accept this moderate demand and put off some of the non-recurring expenditure for the next year, when it is quite possible our financial situation may be better and we may be able to give him more money for the projects which he has in mind. I expect that there are many members who are anxious to speak on this motion. Therefore I will not take up unnecessarily any length of time over this question, but I would before sitting down only refer the honourable House to the recommendations of the Economy Committee. They have recommended that the Government be requested to appoint committees to look into the university expenditure, which I have now learnt has been formed by the Hon'ble Minister. But pending the decision of that committee, I would only suggest that the additional expenditure do stand over for at least some time. If the financial situation improves and when the result of the committee is before the Government and it is found that the expenditure is still necessary, the Hon'ble Minister may come before this House with a supplementary estimate. The Economy Committee also recommended that if the universities show any disinclination in curtailing their expenditure a 20 per cent. cut may be effected. If that 20 per cent. cut were to be calculated it would come to more than two lakhs but I am proposing a reduction of Rs. 1,50,000 only.

The Deputy President : All the other members having motions dealing with the Lucknow University may speak to the present motion.

Hafiz Hidayat Husain : On account of a bad cold, Sir, I am not able to use my voice and therefore I will just mention the points I wished to make. My proposition is that the demand under "31A—Lucknow University" be reduced by Rs. 500.

Lieut. Shaikh Shahid Husain : Are we to take it, Sir, that this is moved as an amendment?

Hafiz Hidayat Husain : We are spending far too much on higher education. My second point is this.

Pandit Nanak Chand : I want to know, Sir, whether the honourable member wishes to discuss the general policy or to reduce the amount?

Hafiz Hidayat Husain : Policy, of course.

Bai Bahadur Lala Sita Ram : My friend now wishes to discuss the policy and Pandit Nanak Chand's object was to have a cut made in a specific item. I beg to submit that the policy should be discussed later. We are at present discussing specific items. According to the ruling of the Hon'ble the President we may discuss specific items first and policy afterwards. If this is taken as an amendment it will lead to confusion.

The Deputy President : I put the question in that shape. If the honourable member wishes to discuss the policy he can do so under the same head.

Pandit Nanak Chand : But this would lead to a great deal of confusion, Sir. The amount in the motion of Hafiz Hidayat Husain is too small to be accepted as an amendment to my motion.

Rai Bahadur Lala Sita Ram : My friend says he wants to discuss the policy. His object is not to discuss the specific item of expenditure. As such, I beg to submit that it would be better to discuss policy later when we have discussed the reduction of expenditure.

Rai Bahadur Babu Vikramajit Singh : The only motions that can go with No. 1 are Nos. 5 and 6 which are with reference to certain specific items.

Dr. Zia-ud-din Ahmad : Motions 5 and 6 relate both to the University of Lucknow and that of Allahabad and not to the Lucknow University alone.

The Deputy President : Motions 1 to 4 relate to the Lucknow University. Nos. 5 and 6 relate to the Allahabad University.

Rai Bahadur Lala Sita Ram : Is it your ruling, Sir, that motions 5 and 6 can be discussed independently of No. 1? If that be so. . .

The Deputy President : At present we are discussing the Lucknow University.

Dr. Ganesh Prasad : May I make it clear that my motion relates to the Lucknow University and the Allahabad University also. So far as it relates to Lucknow, it should be discussed at the same time as No. 1.

The Deputy President : I have no objection to these motions being discussed together under No. 5.

Rai Bahadur Lala Sita Ram : Will I be allowed to move No. 6 independently of the Chair's ruling on No. 1?

The Deputy President : The honourable member will certainly be allowed to move it.

Pandit Nanak Chand : May I be allowed to submit, with due respect to your ruling, Sir, that it has been the practice of this House to discuss the substantive motions apart from the general discussion.

The Hon'ble the Deputy President : That depends on the honourable member Hafiz Hidayat Husain. If he wishes to discuss it now he may do so.

Pandit Govind Ballabh Pant : If the Council on the first motion resolves that there should be no reduction on account of the allotment made in favour of the Lucknow University, will it be open to Rai Bahadur Lala Sita Ram or to Dr. Ganesh Prasad to re-open this question under items 5 and 6 and to ask the Council to vote again to the effect that allotments should be cut down further?

The Deputy President : It will be open because they deal with all universities together and motions 1 to 4 do not discuss the question of universities other than Lucknow.

When putting the question to the House, I will put the question of reducing the demand for Lucknow University separately from the question of reducing the demand for Allahabad University.

There are three other motions, Nos. 2, 3 and 4 standing in the names of Hafiz Hidayat Husain, Thakur Jagannath Bakhsh Singh, and Mr. Masud-uz-Zaman which appear to me to deal with the same matter as

has been already moved. Members having motions dealing with the Lucknow University may speak to the present motion.

Hafiz Hidayat Husain : Sir, the points I wanted to make out are as follows :—

- (1) That you are spending a far higher sum in University and Secondary Education generally than in primary education.
- (2) That you are paying only about 7½ lakhs to the older University of Allahabad, while you pay 10 lakhs to the younger University of Lucknow and I see no reason for this discrimination.
- (3) That the standard of pay of the Lucknow University is far higher than Allahabad and most other Universities.
- (4) That owing to the existence of a powerful clique inside the Lucknow University, the doors of that University are practically closed to the *Hindustanis*, more particularly to the Moslems. The last is the point which needs immediately looking into.

I regret my voice does not help me and I cannot therefore say at this minute all that I wanted to say.

Dr Ganesh Prasad : Is it your order that I speak now? The ruling which you gave a short time ago was that motions relating to the Lucknow University alone were to be discussed just now.

The Deputy President : You may speak now if you like.

Dr Ganesh Prasad : Thank you.

Before I proceed with the question of this reduction I should like to make a few remarks in order to make clear to my Lucknow friends what my position is. I do not belong to Allahabad except in this sense that I am a graduate of the Allahabad University and belong to almost all the bodies of the university, but I sit here as the representative of persons who are graduates of the Allahabad University including a large number of gentlemen living in the districts of Oudh.

I have more reasons than one to be grateful to my friends in Lucknow and I should be the last person to make a discrimination against the Lucknow University. There is an additional reason why I shall not discriminate against the Lucknow University and that is that the present Vice-Chancellor of the Lucknow University is one of my old teachers and as such I have every reason not to cast any reflection on him in any comments I may make here. After this explanation of my feelings towards the Lucknow University I shall presently indicate what my motion is, but before I formally move it, I would request you to give me permission to amend it slightly. I want to reduce the demand, not by Rs. 3,25,000, but by Rs. 2,25,000.

I beg to move that the demand under "31—Education, sub-head 31 A(a)" be reduced by Rs. 2,25,000. My object in making this motion is to make it possible, . . .

Pandit Nanak Chand : May I rise to a point of order? The motion before the House was for a reduction in the grant to the Lucknow University. What has become of that motion?

The Deputy President : I propose to put the motion in this form before the House. First of all I shall put before the House the general question, whether there should be any reduction under general head University—Grant to universities. After that I shall put before the House the question of the allotment for the Lucknow University.

Pandit Govind Ballabh Pant: Is Dr. Ganesh Prasad moving an amendment to the motion of Pandit Nanak Chand; is the first motion in suspense and the second one being discussed?

The Deputy President: As all these motions refer to one and the same thing, I have permitted them to be discussed independently.

Dr. Ganesh Prasad: [During this speech the Hon'ble the President resumed the Chair.]

I was going to say that my object in moving this motion was to make it very clear that the two Universities of Allahabad and Lucknow should become a little bit more popular than they are at present. In connection with my election campaign I travelled a good deal in the United Provinces and visited about 36 districts. I make bold to say that the general opinion of those gentlemen, chiefly graduates of the Allahabad University, whom I saw was that a great deal of money was being wasted which, if properly spent, would do more good to the cause of education than probably many people imagined. I therefore come here with my motion in the interests of these two universities, as well as in the interests of the tax-payers of these provinces. In connection with this particular idea that prevails among the graduates of the United Provinces, I should invite the attention of this House to a few facts. First of all, in the United Provinces the population has remained practically stationary during the last 50 years. That is an important fact indicative of the economic condition of the masses of these provinces. The second point is, that in other countries, more happy and more fortunate, the population has gone up by leaps and bounds, to the extent that, in England and Wales, the population has increased by nearly 75 per cent. The peculiar condition of these provinces will also be noted when I make the remark that it is only the distant Baluchistan that can hide its head in shame before our provinces when the question of literacy comes to the front. The United Provinces are therefore inferior to every Governor's province in India in the matter of literacy. The amount of money that one need spend on primary education comes to about Rs. 4 per student per year and the amount of money which is being spent on education in the universities at Lucknow and Allahabad is Rs. 2,000 per student per year. With these facts and figures before it the House can imagine very easily the feelings of the graduates of the Allahabad University when they find that the Lucknow and Allahabad Universities are spending far too much than they ought to have been allowed to spend. I should like to say that the only check which this honourable House has over the universities is to be effected today. I beg to differ from my friend the Hon'ble the Minister of Education when he thinks that, by a fiat of the Government courses can be abolished in the University of Lucknow or Allahabad, or that co-ordination can be effected. As a matter of fact universities are autonomous bodies, and the only check that can be effected upon them is either in conformity with the provisions of the Allahabad University Act or the Lucknow University Act by the Chancellor of the University concerned or by this Legislative Council when it comes to the question of voting supplies. Supposing for one minute that the committee which has been appointed by the Government were to come forward with the recommendation that physics should not be taught in the fifth year and sixth year classes of a particular university, has the Government any kind of power to give effect to that particular recommendation? I make bold to say no. I am very sorry to learn that steps

have been taken that might put the United Provinces more or less in the same condition as that which prevails in Bengal, where the Calcutta University has defied—and rightly defied—the Bengal Government. I have got here the Allahabad University Act and anyone who is here is absolutely at liberty to challenge my statement. The first Minister of Education came to grief for the simple reason that he did not understand all the features of his child—namely, the Allahabad University Act—but thought that he could control the Allahabad University just as he could control a Government school or intermediate college. This mistake brought him to that position from which he had only one way of escape, namely, that of tendering his resignation, which was accepted. I am very sorry that the Hon'ble the Minister of Education has thought of making use of the same kind of remedy as he might very well have been justified in applying to a Government institution. I have already said that I have no wish to discriminate between the two universities. That is why I have brought forward this motion that reductions should be effected in the case of the Allahabad University as well as in the case of the Lucknow University.

I will consider in detail the case of the Allahabad University first. I have got here a speech delivered by a very esteemed educationist, namely, Principal Jones of the Agra University, and if you, Sir, have no objection to my making use of that speech I will read it out, although the facts and figures of that speech are more or less in my memory. Mr. Jones said at the meeting of the Court of the Allahabad University held in November, 1923 :—

“It is well-known that a very large proportion of the university expenditure is incurred in connection with post-graduate work. If it were not for post-graduate and research work we could employ teachers on much smaller salaries, and use much less expensive apparatus in the various science departments.

“At present the university is teaching the same subjects up to the same standards as were taught by the old Muir College, but at greatly increased expenditure. Unless we can specialize on some subject or subjects by attracting professors of outstanding ability, unless we can encourage genuine research in the subjects we undertake to teach up to the higher standards, unless we can introduce subjects for which there is a pressing need and which were not included in the old curriculum, we shall incur the reproach that we are only doing at a cost of some nine lakhs per annum what the Muir College did for less.

“The English department on the internal side with 13 post-graduate pupils pays Rs. 61,000 in salaries. Similarly, the Philosophy department with 15 post-graduate pupils pays about Rs. 47,000 in salaries. Sanskrit pays nearly Rs. 18,000 per annum in salaries, and there are 10 post-graduate students. Mathematics with 10 post-graduate students costs over Rs. 50,000 in salaries. Zoology with 6 post-graduate students cost about Rs. 30,000 in salaries. Botany with four students in the M. Sc. class costs above Rs. 27,000 in salaries.

“This expenditure could be greatly diminished if we could give up the higher teaching in any of these subjects to other universities which specialize in them.

“Altogether the university employs over 70 teachers in ringing the changes on the old subjects :—English, Philosophy, Sanskrit, Mathematics, History, Law, Economics, Classical Languages and pure Science,

[Dr. Ganesh Prasad.]

"Now, this University is maintained almost entirely by Government from public funds at the tax-payer's expense. If it is to justify that expenditure it must do more than the old Muir College did. It must maintain a Medical College. It must undertake applied science, applied to agriculture and the manufacture of soap, sugar, glass and other industries."

The position, Sir, is this. So far as the teaching in the Arts, Science, Commerce and Law departments is concerned it goes on more or less on the same lines as existed in the olden days. I have got here the budget of the Allahabad University and from that you will find that the total sum earmarked for the establishment comes to about Rs. 6,18,000. Yesterday the Vice-Chancellor of the Allahabad University was good enough to send me a telegram after the request which I had made to him to let me have the actual expenditure under the head of establishment up to the 1st of March, and I find that the actual expenditure comes to about Rs. 5,07,000. The actual expenditure up to the end of March will therefore come to 5½ lakhs nearly. It will be noticed by my honourable friends that the saving under this head comes to about Rs. 60,000. I proposed that out of the Rs. 2,25,000 which I have suggested as the sum by which the demand for the two universities should be reduced, a sum of Rs. 60,000 should be reduced in the demand on the score of the Allahabad University.

The Hon'ble the President : Will the honourable member formally move his motion in two parts?

Dr Ganesh Prasad : Yes, Sir, I will do so before concluding. The reason why there has been this saving is very simple. In the Allahabad University there are a number of posts of considerable importance which have remained vacant for the last twelve or fifteen months. These are the Professor-ships of Botany, Zoology, Mathematics and Civics and Politics. I happen to be a member of the Executive Council and of the Science Selection Committee of the Allahabad University. I know probably more than I am willing to say here. But my honourable friends may take it from me that even if the Allahabad University were anxious to fill up these four posts, it will find it very difficult to do so. These have remained vacant for the last twelve or fifteen months more or less. I would suggest, therefore, that these four posts which involve an annual expenditure of Rs. 48,000 should not be filled during the coming year. This step will cause absolutely no loss of efficiency. There are a number of minor appointments, namely, readerships, lecturerships, etc., which need not be all filled up. And therefore I propose that some of these should not be filled up during the next financial year; so that the amount saved will be Rs. 60,000, which sum has already been saved this year.

As regards the Allahabad University, I do not propose to say more because I do not wish, Sir, to misuse or abuse the indulgence you have been kind enough to show to me.

I come now to the Lucknow University. As regards the Lucknow University...

Lieut. Shaikh Shahid Husain : May I know what reduction the honourable member proposes to make?

Dr. Ganesh Prasad : I have already indicated in the beginning of my speech, when the Deputy President was in the Chair, that I propose to make a reduction of Rs. 1,65,000 from the Lucknow University grant; and my honourable and gallant friend might with a little arithmetical calculation very well have found it out by subtracting Rs. 60,000 from Rs. 2,25,000. As for this University I propose that we should, because of retrenchment, insist on the University not having the pleasure of an extended Science laboratory for a mere handful of students. In the case of the Lucknow University, I do not propose that there should be any kind of failure on the part of the University to make appointments. The appointments will continue just as now; they will go on as if no kind of motion has been made in this House. All that I wish to say is that, as large sums have been spent by the Lucknow University from year to year on major works, no large sum should be spent on extensions during the coming year. The recommendation of the Executive Council of the Lucknow University is, as is clear from the Budget, that a sum of one lakh should be spent in connection with extended accommodation for the Scientific department. I have got here, Sir, the Annual Report of the Lucknow University. I do not wish to take too much time of my honourable friends; but if they will look at page 94 of the Annual Report they will find that in more or less each of the Science departments you have got, one, two, three, or at the most eight post-graduate students. In the Chemistry department I find that there are only four students in the fifth year and two students in the sixth year. In another department we find one student in the fifth year and one in the sixth year, and so on. I am very sorry when I think of the huge expenditure and see this inadequate return. I do not know really if I am insulting the intelligence of my honourable friends here when I dilate on this point. My honourable and gallant friend to my right is a member of the Executive Council of the Lucknow University, and I ask him whether he is at all anxious that we should go on multiplying departments for one or two students coming out as M. Scs'.—that we should spend lakhs and lakhs on these extensions of the Science departments in order to have a few M. Scs'. more.

As regards the Faculty of Medicine and the Medical College and Hospital, I would not be a party to any kind of obstacle being put to the admission of students. This brings me to the question of the residential system. I stand here to say that I do not attach any special importance to the residential system. The whole of Germany, the whole of France, the whole of Italy, the whole of Scotland, from which my friend the Director of Public Instruction comes, have not accepted this particular system. If those countries have not thought it fit to introduce the residential system, I do not see why we should swear by that system. I wish simply to advise my friends, the taluqdars. I do not wish to say one word more than this, "Please do not be deluded by mere catchwords."

Rai Bahadur Thakur Mashal Singh : Mr President, is there any time-limit for the honourable member? He has already spoken for 20 minutes.

Dr. Ganesh Prasad : I said in the beginning that I would not like to abuse your indulgence, Sir, and if the Hon'ble the Minister of Education can be permitted to do certain things, for example read out a manuscript speech, which many gentlemen are not permitted to do, I know you will give me four or five minutes more to finish my speech.

[Dr. Ganesh Prasad.]

I assure the honourable member for Hardoi that what I have said is something that I ask anybody here to challenge. Neither the whole of France nor the whole of Germany—I ask any gentleman here who knows those countries to challenge me—has accepted that system. I ask my friend the Director of Public Instruction, who hails from Scotland, if Scottish universities are strictly residential. Two hundred years ago Scotland was poorer than India is today. But Scotland has grown richer and richer and still there is no residential system there.

If all these countries can do without this system, why should we very poor people swear by this system here?

Therefore, Sir, I say that fresh major works should not be constructed in the Lucknow University. If they are not to be constructed, that will bring in saving of Rs. 1,65,000. I have got here a note which the Vice-Chancellor of the Lucknow University was good enough to send me, and it is on the basis of that note that I thought it advisable to cut down my figure from Rs. 3,25,000 to Rs. 2,25,000.

Only one word more. I appeal to my honourable friends here to approach this question in the right frame of mind. As a matter of fact, I am a professor and I get a fairly decent sum from the tax-payers of Bengal. But I am here not as a professor but as a native of these provinces, as the representative of three thousand graduates who sent me here with the mandate that the university administrations should be mended or ended.

The Hon'ble the President : What are the exact figures? I want to divide the motion into two distinct parts.

Dr. Ganesh Prasad : I am sorry, Sir, I was so much afraid of the honourable member from Hardoi that I forgot to move it formally in parts. I beg to move that the demand for the Allahabad University be reduced by a sum of Rs. 60,000. That is my first motion. The second motion is that the demand for the Lucknow University be reduced by Rs. 1,65,000.

Kunwar Jagdish Prasad : We have listened to a speech of great power from the representative of the Allahabad University. He has overwhelmed this House with statistics drawn from all parts of the British Empire and outside. We had a reference to Baluchistan. We were told the cost of educating a student of the Lucknow and Allahabad Universities. We had a reference to the universities of France and Germany. May I say with all due respect that my honourable friend is perhaps suffering from statistical hysteria. I think the onrush of unregulated figures seems to have upset his educational balance. I will now deal with the specific question whether the grants for the Lucknow University, which have been made hitherto and which are to be made next year, are based on adequate educational requirements, or whether we are throwing away this money to be wasted on schemes which cannot be approved of by educational experts.

I will now take the question of the Lucknow University. The first point that I should like to bring to the notice of this House is that this University has been in existence now for about three years only. Before the University came into existence the number of students in the Canning College was, I understand, about 243 and the number of students in the Medical College was about 155. The total numbers were less than 400 before the University came into existence. The total number of students within

these three years has increased from less than 400 to 943. The number of students in the Faculty of Science is now 130, in the Faculty of Law 251—I regret to say one of the honourable members opposite who is closely connected with the Lucknow University is not to be seen today, I mean Dr. Jaikaran Nath Misra, in the Faculty of Commerce there are 52 students, in the Faculty of Medicine there are 211 students. Therefore the first point that I wish to bring to the notice of this House is that within three years the numbers have more than doubled in this University which is supposed to be unpopular in the districts in which my honourable friend made his electioneering campaign. The second point that I wish to bring to the notice of this House is, that this is the only University in these provinces which has got a medical college and a hospital attached to it. From the figures supplied by the Vice-Chancellor it appears that the net expenditure on the Faculty of Medicine and on the medical college and hospital is over five lakhs. Therefore the Government grant, after deducting what is spent on the medical side, is about 3 lakhs.

The third point that I wish to put forward in this connection is that before the transfer of the medical college and its buildings to the University the whole cost of maintaining the electric plant, the gas plant and the building was met by Government. Now the cost of maintaining these falls on the University.

The fourth point that I wish to make is that the Lucknow University in some respects has felt rather severely the effect of the cuts that have been made in this Council. In the year 1922-23 it was proposed that the Lucknow University should be given a grant of Rs. 9,30,000. A lakh was however cut out because of the financial situation. Pandit Hirday Nath Kunzru in this Council in a debate which roused a certain amount of heat—and I think debates on the Lucknow University usually do—proposed another cut of a lakh but that was rejected by the Council. Last year the same amount viz. Rs. 8,30,000, was proposed to be given to the University, but again a cut had to be made owing to financial exigencies. A cut of a lakh was made and the result was that the University was given only Rs. 7,30,000. This year a similar proposal is being put forward. (I think my honourable friend Rai Bahadur Lala Sita Ram has not spoken, and I hope when he speaks I shall be allowed to reply to any points that he may raise as regards the Lucknow University.) We have provided what was actually provided in 1922-23. Now we are told that this amount must be reduced. What has been the result of this uncertain budgeting on the Lucknow University? The result has been that the University has spent over five lakhs of rupees from its capital account, i.e. from the subscriptions which it has realized from private persons, and all this amount has gone in expenditure on recurring and non-recurring items.

The fifth point that I wish to put forward is that this is one of the few universities which owes its inception, which owes its establishment, to the public spirit and to the esteem in which higher education is held by the taluqdars of Oudh. About 31 lakhs were promised by the taluqdars. The buildings of the Medical College cost over 13 lakhs and most of this money was raised by the taluqdars of Oudh. The Canning College receives an annual grant of Rs. 55,000 from the taluqdari cess, and when all this money has been put in for the purpose of higher education the taluqdars can legitimately ask that this Council should do nothing which would in

[Kunwar Jagdish Prasad.]

any way hamper the development of the University or destroy the ideals for which it was established.

I will now, Sir, leaving aside these general questions, come to the specific points that have been made by my honourable friend the member for the University. As regards the non-recurring grant which it is proposed to give to the University, the proposal is that the Lucknow University should be given a non-recurring grant of a lakh and a half. The first thing is that the University asked us that they should be provided with a non-recurring grant of over 5 lakhs. My honourable friend the Director of Public Instruction and I myself went round the University buildings a few days ago, and we discussed the situation both with the Vice-Chancellor and the staff of the University. Now, Sir, the position in the Medical College is that while the number of students is over 200, there is scarcely accommodation for more than 160 students. The result is that in the hostel across the Gomti the store-rooms, the common room, and I am told even the night latrines have had to be converted into rooms in order to meet the onrush of students seeking accommodation. As this is a provincial college, it is only natural that students who come from outside find it difficult to get accommodation elsewhere in Lucknow and are desirous of being accommodated in a hostel. A hostel for accommodating 50 students will cost about Rs. 60,000. Then, in the Canning College, while the number of students on the roll is over 700, the accommodation provided in the hostels is only for about 300 students, and there is therefore great need for providing hostel accommodation there. I differ from my honourable friend Dr. Ganesh Prasad when he says that because, in the universities of France and Germany, there is no residential system, there is no need for it here. The conditions in respect of accommodation are totally different in India. In a city like Lucknow it is extremely difficult for students who come from far off places, to get decent accommodation. The facilities for living outside the residential area provided by the University are extremely difficult, and I think that is one of the reasons why in the Aligarh Muslim University and the Benares Hindu University provision has been made for a residential system. Indeed, in every university in India, so far as I know, the trend of opinion is entirely against the views expressed by my honourable friend. I hope I have amply shown to the House that the need for hostel accommodation at the Lucknow University is manifest, and it is for this purpose that a sum of Rs. 1,20,000 is required. Again, considering the large increase in the number of students in the Medical College, there is a great demand for expansion of lecture rooms and laboratories, and I think even the honourable mover, so far as the Medical College is concerned, has admitted that he has no criticisms to offer.

Dr. Ganesh Prasad: I did not make any criticisms relating to the Medical College simply because I had no time. Moreover, it is not expected that every member should offer some criticisms or the other on every department when the time at his disposal is so short.

Kunwar Jagdish Prasad: Anyhow, the honourable member did not consider the criticisms that he had to offer in regard to the Medical College as urgent and weighty, else he would have put them in the forefront of his speech. I think, Sir, I have made out a good case that

no deduction should be made from the grant which it is proposed to give to the Lucknow University.

The honourable member for Bulandshahr has stated that now that we have appointed a committee to go into the expenditure of the Lucknow University we had better make a cut in its expenditure now, and in case more money is required, we might come up before the Council for a supplementary grant later. In this connection I wish to state that as the budget of the University stands, even at present they have budgeted for an excess of expenditure over the income to the extent of over Rs. 1,64,000 and I think with the best will in the world the Committee is not likely to be able to reduce the expenditure of the University at least in the next year by a sum of nearly Rs. 3,00,000. I hope, therefore, that in dealing with the budget of the Lucknow University it is desirable that he should proceed very cautiously. I am sorry to say that I have taken up so much of the time of the Council, but I wish to fling a few figures at my honourable friend Dr Ganesh Prasad, who has flung so many at me. I was looking the other day at the expense incurred by the University and colleges at Oxford and I found that in the year 1923 about one crore and sixty thousand had been spent by the University of Oxford and its colleges on about three thousand students and the same amount has been spent by the Cambridge University and its colleges on an equal number of students.

Babu Bhagwati Sahai Bedar : What is the average income per student ?

Kunwar Jagdish Prasad : I think that there is a motion by Dr. Ganesh Prasad in regard to State scholarships. I do not know whether we shall get time to discuss it to day, but I think that the line which my honourable friend is likely to take is that there is no use sending students abroad and that we should try to give them the education which they require in this country.

Dr. Ganesh Prasad : I object to this misrepresentation. I am not going to ask that nobody should be sent abroad.

Kunwar Jagdish Prasad : I think it would be admitted that there is a general feeling that the same level of education in India should be raised to bring it to the same standard which exists abroad. I think that this point has been constantly urged by the Lytton Committee. It is no use asking our students to compete with those abroad unless we are prepared to do for University education in this country what is being done for University education abroad. I therefore hope that this House will not reject lightly the proposal that is made for giving a grant to the Lucknow University.

Rai Bahadur Lala Sita Ram : I realize full well that living in Lucknow, drinking its water and breathing its air, it is almost a blasphemy to speak a word against any sacred institution of Lucknow. I also realize that Government has taken wind out of my sails by appointing me a member of the Co-ordination Committee in pursuance of the recommendations of the Economy Committee and therefore a heavy responsibility weighs on my mind as to what I should say and what I should not say, because I fear that whatever I may say here may savour of prejudice of bias for or against the institutions into the finances of which Government has asked me to go into. I shall, therefore, refrain from going into the figures of the Lucknow University or the Allahabad University at

[Rai Lala Sita Ram Bahadur.]

that some of the items can be postponed for next year and they are not of an urgent necessity.

As regards the Allahabad University I do not agree entirely with what Dr. Ganesh Prasad has said. I also as a member of the Executive Council of the Allahabad University have several capacities to fulfil. I am the manager of an aided College and represent it in the Executive Council. Here I represent the tax-payers. In the Executive Council of course our interest is to demand more and more from the Government and here as representative of the tax-payers we have to see what we can afford and that, that money is rightly spent. What we may say in the Executive Council I am not at liberty to disclose. Perhaps we are voted down, perhaps we are in a minority or whatever it may be, but I have reason to believe and I am fully confident of the fact that Rs. 25,000 can be saved on the budget of the Allahabad University.

Dr. Zia ud din Ahmad : I do not admire the practical wisdom of the Minister to reserve only two hours and three quarters to discuss this important branch of the budget, i.e. education, and to keep half of its time for himself and other official members. He may carry the budget today in spite of our protest, but it is absolutely certain that if all the items put down in the budget are not finished to the end today, the discussion on them will come out in the shape of resolutions. As regards the Lucknow University, I take it up first as it is the subject matter of the discussion—I think it has done great harm to the other universities in these provinces. It has set up such a high standard of salaries and has employed persons of the same qualifications on a scale of pay which the other universities cannot follow. I do not criticize the system of eloque which one of the speakers sitting to my left has referred to, but I confine myself only to matters of principle and it is this. It is the practice in the London University and also recommended by the Calcutta University Commission that in matters of appointments we must always have the assistance of outsiders not belonging to the university. The opinions of the professors and lecturers of the same university are very often prejudiced in favour of persons who are already serving the university and they may not be able to select the best man available for the post. Unless a precaution of this kind is adopted I do not think that the advisory committee—I call it advisory because it has got no power to enforce its decisions—announced by the Minister will have any effect in improving the state of affairs existing either in Lucknow or Allahabad. This can only be effected by a change of the Act or by stopping the grant.

I agree with my friend sitting to my right, the representative of the Allahabad University, about the defects in Allahabad and in Lucknow except on one point. I do not agree with him in his condemnation of the residential system. As a matter of fact this is the first time in my life that I have heard such strong condemnation. I have repeatedly heard people saying that the residential system is very expensive, it does not suit the poverty of India. I entirely sympathize with them. But there are certain things which we can achieve by the residential system, but which cannot be achieved by ordinary universities which have no residential system.

The word "common sense" is a proverbial expression in the mouth of any educationist in England. This word "common sense" does not exist in the German language. As a matter of fact their system of training has

absolutely no place for the training of common sense for which even a word does not exist in that language, and they always speak of "English common sense." It is no doubt that the German system of education is very superior to the English system as far as the imparting of scientific knowledge is concerned, but it is hopelessly behind the English system in the development of character, in the power to administer and in forcing the will on everybody else.

I am not, as the motion standing in my name clearly shows, in favour of reducing the grant and it is for two reasons. The one is that the Lucknow University is the only university in these provinces which provides medical education. The Medical College is not a college of the Lucknow University alone but draws students from all the universities of these provinces as well as from the universities outside. Indeed our Medical College, according to the report of the Government of India, is the smallest of the five colleges in India. It spends two lakhs less than the minimum expenditure on any medical college. The grant we are giving now is really insufficient for the requirements of medical studies and the more we supply, the better it is for the institution.

My second argument for differing from this motion is that I am a great believer in spending large sums of money on education though of course we must have a judicious supervision over their expenditure. The Lucknow University has been a favourite of the late Governor and the Allahabad University a great favourite of the late Minister and the result has been that the other educational institutions in this province did not receive the same sympathy and the same financial support from the Government which these universities have been fortunate enough to get. I do not stand in the position of a jealous observer. I, like the old bent woman, would not like that everybody in this world should become bent, but I would like to see even the bent old woman become straight. Therefore I do not ask for the curtailment of the amount to Lucknow or Allahabad, but I would certainly ask when the suitable time comes that the share of the other institutions should be proportionate to the share given to Lucknow and Allahabad. There is one thing I would ask and I hope the Director of Public Instruction will clear this up. What is the proportion of the money contributed to the maintenance of the Lucknow University and what proportion is offered by Government, so that it may help us in judging the grant given to the other universities of this province? Sir, as to the motion standing in my name it is not only Lucknow or Allahabad that I wanted to discuss but I wanted to discuss, if you will permit me, briefly, the Engineering College at Rurki, which comes under the head "31A."

The Hon'ble the President: The honourable member can refer to that later.

Dr. Zia-ud-din Ahmad: With these remarks I beg to oppose the motion that the grant should be cut down.

Pandit Nanak Chand: I, in the beginning, submitted that I am not opposed to any expenditure if it is necessary in the interests of sound administration of the Lucknow University. I only submitted that the demand should be reduced by a lakh and a half and I explained that it was . . .

The Hon'ble the President: Has the honourable member spoken before?

Pandit Nanak Chand : Yes Sir.

The Hon'ble the President : I am sorry he cannot speak again. Has Mr. Hidayat Husain spoken ?

Hafiz Hidayat Husain : Yes Sir.

The Hon'ble the President then called upon Thakur Jagannath Bakhsh Singh to speak.

Thakur Jagannath Bakhsh Singh : I am sorry it is my lot, as it has been frequently, to join issue with the honourable member for Meerut. I find that as the motion stands before the House I cannot support it. My reasons are that I know that the debate has, that the opposition has rather centered over the grant to both the universities of Allahabad and Lucknow. It has been said that recurring and non-recurring grants to a certain extent are not desirable at the present time. I would not speak much about the Allahabad University as I have not much knowledge of its conditions, and I think there are members who can defend the case of Allahabad much better than I can do. But, Sir, I think I can say a few words in the case of Lucknow. There may be a difference in the recurring and non-recurring grant for the Lucknow University in the budget that is before us, but I would submit, Sir, that the Lucknow University is not getting at present the grant which it deserves. If I am right I think it is a customary practice that the Education department allow grants to institutions to the extent to which they can raise private funds. If that is so, and I think that it is so, Sir, in that case I would show to the House that the capital enjoyed by the Lucknow University, the amount that the Lucknow University has raised by private sources, is far more at the present time than the grant that is given by the Government. Comparison is not my object at the present moment, but in certain cases comparison cannot be avoided. With this object I may cite a few instances of comparison between the Allahabad and Lucknow universities. I put certain questions to the Government and I have received replies. With the help of those figures given to me in the replies and some other figures that I obtained from the university, I can say that the position is this—

Lucknow University, before it came into existence, I mean the two colleges that are now transferred to the university, the Canning College and the Medical College, their building expenditure met by the private purse is in the case of the Canning College Rs. 6,89,720, and in the case of the Medical College it is Rs. 13,52,863. After the university had been established, the expenditure of private money in the establishment was Rs. 11,80,884. Its endowment consists of Rs. 18,36,292. All this money was subscribed by private persons. In spite of this endowment there is a scholarship fund also endowed under a separate name and amounts to Rs. 1,50,325. Then apart from this endowment the university holds securities of the face value of Rs. 3,12,900 rupees. Now, Sir, besides this Faculty of Medicine I mean the Medical College, Lucknow University has four faculties. The sister University of Allahabad has got four faculties but not a Faculty of Medicine—not at any rate a Medical College on such a large scale as that of the Lucknow University. The endowment of Allahabad University is Rs. 2,38,200 out of which the amount subscribed by the public is only Rs. 1,41,200 and the amount raised by Government Rs. 2,07,000. By comparing these figures of the Allahabad University we

see what that university gets from Government. And the Lucknow University which has raised an amount three times, or perhaps more than three times that of the other University only gets a very small sum in excess of the Allahabad University. So, Sir, it is not a question regarding recurring and non-recurring grant, it is a question as to how much Lucknow should get considering the amount it has raised for itself. I do not say that the expenditure of the Lucknow University is not running higher than it should. I do not quarrel on that point. It has been said that the lecturers, readers and professors are being paid more than what they should be paid. But I may observe that it is under certain rules of the Sadler Commission Report that the Lucknow University is compelled to raise its expenditure, but at the same time I do not want to enter into details. The Government has appointed a committee today to discuss and to come to a conclusion about the normal expenditure of the universities. It is not a very easy task for a layman or a non-official member to know what the normal expenditure of a University like the Lucknow or Allahabad University is. If it were easy for any member to do so it would have been very easy for the Economy Committee, that the Government appointed some time ago, to come to a conclusion on the subject. The Economy Committee was presided over by an able and experienced officer of the Government and there were other expert official and non-official members in the matter of finance. But they either did not consider themselves competent or have not had sufficient time at their disposal to go into details as to what expenditure should be recommended to the Government for the university. They simply referred the matter to the Government and advised the Government to appoint another Economy Committee to go into details. I think in the matter of details we should be guided by the recommendations of the Economy Committee. It is not a question that a non-recurring grant, such as a building grant, is not desirable at the present time. I beg to submit that the point is that the Lucknow University is not getting a sufficient grant from the Government to cope with its position and status. Then what else is it expected to do. It can only live upon its capital, which is a deplorable thing. But this fact should commend itself to the Government and to the Hon'ble the Finance Member, who is in charge of the purse, that they should give more money to the Lucknow University. With these few words I strongly oppose the motion.

Dr. Shafa'at Ahmad Khan: I am sorry that the Allahabad and Lucknow controversy has been dragged in in our discussion of the grants to university education. It seems to me that the question of Allahabad and Lucknow controversy seems to some persons like King Charles' head to Mr. Dick, and they can never get rid of the idea of rivalry either between the two cities or between the two universities. I will leave that alone, and will concentrate upon the Lucknow University. Now, as all of you know, perhaps, the Lucknow University was established amidst great difficulties and it has encountered serious obstacles, but it has weathered all the storms, and I believe it will come out successful. In the first place, very few members are aware that the Lucknow University applied for a grant of Rs. 14 lakhs and that was cut down to 10 lakhs and a few thousand. Now, that again shows that their need was so great that their necessity was so urgent that it was impossible for them to carry on that work without that adequate support which is absolutely essential to the working of a university. In the next place, very few

[Dr. Shafa'at Ahmad Khan.]

of you know, perhaps, the difficulties that they have encountered in the organization of courses for different faculties. They had really to create everything *de novo* but they have succeeded and we ought to give our meed of praise and of recognition to the work that has been done by a pioneer institution. I should not like at this stage to make any invidious distinction between Allahabad and Lucknow. I would appeal only to the wider and broader question of the interference of Government in the internal management of the university administration. I believe all of us are of opinion that so far as the question of the university administration is concerned we ought to leave the details in the hands of the universities. It was this principle that was enunciated so lucidly, clearly and frankly by the Sadler Commission. I would urge every member of this Council to keep this in mind and not to try to suggest remedies which, though to them may appear necessary, when we come to consider all the details we shall find are not really so. I will explain very briefly as regards the Allahabad University. About five months ago, the Allahabad University appointed a Budget Committee. It was really an Economy Committee and went into the question of the retrenchment of expenditure in all the departments and effected considerable economies. If you compare the budget of the Allahabad University for this year with that of the last year, you will find that no increase has actually taken place in it for the two years. Is that not sufficient indication of the desire of the university for real economy? What more do you want? The budget for this year really is less than that of last year, because the increments of the teachers have to be taken into consideration. Again, I have been told by my friend Dr. Ganesh Prasad, that the university need not fill the vacant posts. I do not agree with him there.

Dr. Ganesh Prasad : May I be permitted to remove a misconception? I said that the four professorships that are vacant, and have not been filled in during the last twelve months or so, need not be filled.

Dr. Shafa'at Ahmad Khan : I was only referring to those four professorships. If you do not fill these professorships the University will suffer greatly. The professorship of Politics was founded by Sir Harcourt Butler. We have been trying to get a very capable man, but we have not succeeded so far, but I am certain that this year we will be able to select a really suitable man. Then as regards the professorships of Zoology and Botany: if the honourable members will go through the list of members of the departments of Zoology and Botany, they will find that if no professor is appointed to either of these departments, it will be impossible for the university to keep up that standard of quality which is so absolutely essential to university research work and to university teaching. In these circumstances I would again urge the mover not to proceed with his motion but to agree to the amount that is asked for by the Hon'ble Minister of Education.

Kunwar Jagdish Prasad : I move for the closure.

The Hon'ble the President : The amendment moved is that the demand under 31A—Education—(a) University be reduced as follows. The item under the Allahabad University be reduced by Rs. 60,000. I will deal with this first. Since when it was proposed that for Rs. 60,000

Rs. 25,000 be substituted. The amendment now before the Council is that Rs. 25,000 be substituted in the motion of Dr. Ganesh Prasad for Rs. 60,000.

The motion was put to the vote and negatived.

The Hon'ble the President : The second part of the motion is that the item dealing with the Lucknow University—an item of Rs. 10,93,720 be reduced by Rs. 1,65,000. There is another amendment proposed by Pandit Nanak Chaud that a reduction of Rs. 1,50,000 be made. Since when a third amendment has been proposed by Rai Bahadur Lala Sita Ram that Rs. 75,000 be substituted for Rs. 1,65,000. I will take the motion to substitute Rs. 1,50,000 now.

The motion was put to the vote and negatived.

The Hon'ble the President : The next amendment proposed by Rai Bahadur Lala Sita Ram is to substitute Rs. 75,000 for Rs. 1,65,000.

The motion was put to the vote and negatived.

The Hon'ble the President : The motion now before the Council is that the demand of the Allahabad University be reduced by Rs. 60,000 and of the Lucknow University by Rs. 1,65,000.

Mr. A. H. Mackenzie : The question of reduction of the Lucknow University grant, I think, has been sufficiently dealt with. I wish only to say a word or two about the Allahabad University grant. I am somewhat bewildered by the fact that the honourable member for the Allahabad University has not given the Education department his support in this matter, especially as he is a member of the Executive Council and was present when the Allahabad University budget was passed. It seems to me that it is somewhat unreasonable to ask the Council to take this or that figure from him when as a member of the Executive Council he endorsed the very budget which he now criticizes.

Dr. Ganesh Prasad : I did not endorse it.

Mr. A. H. Mackenzie : Well, the honourable member did not oppose it.

Dr. Ganesh Prasad : Where is the record?

Mr. A. H. Mackenzie : I have the minutes here.

Dr. Ganesh Prasad : May I crave the indulgence of the House to say a word. The Hon'ble Director of Public Instruction knows as well as anybody that it is not the practice of the Executive Council of the Allahabad University to note down the names of the dissenting members.

Mr. A. H. Mackenzie : I shall proceed, Sir. I do not wish to waste the time of the Council by a discussion which has degenerated into an interchange of amenities between the honourable member for the University and me. But I think that the House, in view of the figures that the honourable member has given to it, expects some reply from me. As I said, I did not anticipate his particular line of attack and therefore I have not perhaps all the figures that I might have had here, but I think I can give the House the essential facts about the financial position of the Allahabad University. Briefly they are these. The expenditure estimated by the University is Rs. 9,14,000. It has an income, including a closing balance at the end of this year, of Rs. 2,19,000; that leaves Rs. 6,95,000. The Government scrutinized the budget of the University and

[Mr. A. H. Mackenzie.]

saw that there were possible economies to the extent of Rs. 44,000, economies in the direction which the honourable member for the Allahabad University has indicated, viz., by keeping certain posts vacant for some months until the opening of the ensuing sessions and keeping a few vacant until the University Committee reports on the financial condition of the University. These economies would bring the total requirements of the University down to Rs. 6,51,000. To that sum we must add Rs. 15,000, which is the claim of the Allahabad municipality against the University for taxes, bringing the requirements of the University up to Rs. 6,66,000; and the Government have put in the budget Rs. 6,67,000 leaving only Rs. 1,000 as closing balance at the end of next year. The Government have not provided for any assistance by the University to the associated colleges or for the medical inspection of students. They have cut the grant down to bed-rock. There is no doubt that if the Council passes the grant as it is in the budget, if it does not increase that grant to what the University asks for, there will be great disappointment in Allahabad. But if the Council does not pass what the Government ask for there will be dismay. As I said, the demand in the budget is the minimum figure with which the work of the University can be carried on.

The motion of Dr. Ganesh Prasad to reduce the demand for the Allahabad University by Rs. 60,000 was put and negatived.

Dr. Ganesh Prasad : I want a division, Sir.

The Council divided as follows:—

Ayes (25).

Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Thakur Moti Singh.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Pandit Nanak Chand.
Raja Suryapal Singh.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Bhagwat Narayan Bhargava.
Pandit Sri Krishna Dutt Paliwal.

Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyay.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Babu Sita Ram.
Dr. Muhammad Naim Ansari.
Maulvi Zahur-ud-din.
Maulvi Abdul Hakim.
Dr. Ganesh Prasad.

Noes (57).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. W. S. Cassels.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.

Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad Ejaz Rasul Khan.
Mr. H. C. Desanges.
Babu Khem Chand.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.
Rai Bahadur Pandit Kharagjit Misra.
Chaudhri Sardar Singh.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukm Tej Pratap Singh.
Rai Bahadur Pandit Balbhadra Prasad Tiwari.
Raja Sri Krishna Dutt Dube.
Babu Dip Narayan Roy.
Thakur Hanuman Singh.

Noes (57).

Raja Indrajit Pratap Bahadur Sahi.	Hafiz Hidayat Husain.
Raja Shankar Sahai.	Nawabzada Muhammad Yusuf.
Kunwar Rajendra Singh.	Dr. Shafa'at Ahmad Khan.
Rai Bahadur Thakur Mashal Singh.	Sayid Muhammad Ashiq Husain.
Kunwar Surendra Pratap Sahi.	Khan Bahadur Maulvi Fasih-ud-din.
Mr. Muhammad Aslam Saifi.	Lieut. Shaikh Shahid Husain.
Lieut. Nawab Jamshed Ali Khan.	Lala Mathura Prasad Mehrotra.
Khan Bahadur Kunwar Inayat Ali Khan.	Raja Shambhu Dayal.
Khan Bahadur Chaudhri Amir Hasan Khan.	Lieut. Shaikh Imtiaz Rasul Khan.
Maulvi Obaid-ul-Rahman Khan.	Thakur Jagannath Bakhsh Singh.
Dr. Zia-ud-din Ahmad.	Rai Bahadur Babu Vikramajit Singh.

The motion was accordingly negatived.

The motion of Dr. Ganesh Prasad to reduce the demand for the Lucknow University by Rs. 1,65,000 was put and negatived.

Dr. Ganesh Prasad : I want a division.

The Council divided as follows :—

Ayes (25).

Babu Narayan Prasad Arora.
 Babu Sangam Lal.
 Babu Mohan Lal Saksena.
 Babu Damodar Das.
 Thakur Moti Singh.
 Babu Bhagwati Sahai Bedar,
 Thakur Manjit Singh Rathor.
 Pandit Nanak Chand.
 Raja Suryopal Singh.
 Chaudhri Badan Singh.
 Thakur Sadho Singh.
 Pandit Bhagwat Narayan Bhargava.
 Pandit Sri Krishna Dutt Paliwal.

Babu Parsiddh Narayan Anand.
 Pandit Vajna Narayan Upadhyaya.
 Pandit Baljnath Misra.
 Pandit Govind Ballabh Pant.
 Pandit Hargovind Pant.
 Mr. Mukandi Lal.
 Babu Ram Chandra Sinha.
 Babu Sita Ram.
 Dr. Muhammad Naim Ansari.
 Maulvi Zahur Uddin.
 Maulvi Abdul Hakim.
 Dr. Ganesh Prasad.

Noes (56).

The Hon'ble Mr. S. P. O'Donnell.
 The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.
 The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
 The Hon'ble Rai Rajeshwar Bali.
 Mr. G. B. Lambert.
 Mr. E. A. H. Blunt.
 Kunwar Jagdish Prasad.
 Mr. G. B. F. Muir.
 Mr. A. C. Verrières.
 Mr. C. E. D. Peters.
 Mr. J. R. W. Bennet.
 Mr. S. H. Fremantle.
 Mr. R. Burn.
 Mr. W. S. Cassels.
 Mr. A. G. P. Pullan.
 Mr. H. G. Billson.
 Mr. A. D. Ashdown.
 Lieut.-Colonel B. F. Baird.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.
 Raja Muhammad E'jaz Rasul Khan.
 Mr. H. C. Desanges.
 Mr. H. David.
 Babu Khem Chand.
 Chaudhri Sheoraj Singh.
 Rai Amba Prasad Sahib.
 Rai Bahadur Pandit Kharagjit Misra.
 Chaudhri Sardar Singh.

Lieut. Raja Durga Narayan Singh.
 Lieut. Raja Hukm Tej Pratap Singh.
 Rai Bahadur Pandit Balbhadra Prasad Tiwari.
 Raja Sri Krishna Dutt Dube.
 Babu Dip Narayan Roy.
 Thakur Hanuman Singh.
 Raja Indrajit Pratap Bahadur Sahi.
 Raja Shankar Sahai.
 Kunwar Rajendra Singh.
 Rai Bahadur Thakur Mashal Singh.
 Kunwar Surendra Pratap Sahi.
 Mr. Muhammad Aslam Saifi.
 Lieutenant Nawab Jamshed Ali Khan.
 Khan Bahadur Kunwar Inayat Ali Khan.
 Khan Bahadur Chaudhri Amir Hasan Khan.
 Maulvi Obaid-ul-Rahman Khan.
 Dr. Zia-ud-din Ahmad.
 Hafiz Hidayat Husain.
 Nawabzada Muhammad Yusuf.
 Dr. Shafa'at Ahmad Khan.
 Sayid Muhammad Ashiq Husain.
 Khan Bahadur Maulvi Fasih-ud-din.
 Lieut. Shaikh Shahid Husain.
 Lala Mathura Prasad Mehrotra.
 Raja Shambhu Dayal.
 Lieut. Shaikh Imtiaz Rasul Khan.
 Thakur Jagannath Bakhsh Singh.
 Rai Bahadur Babu Vikramajit Singh.

The motion was accordingly negatived.

Pandit Nanak Chand : I move that the demand under Salaries, Rurki College in 31A—Education—University—(d) Government Professional Colleges be reduced by Rs. 25,000.

If the honourable members will please turn to page 68 of the detailed estimates they will find that the staff has been reduced by one, i.e., from 25 to 24. The account for the year 1922-23 was Rs. 98,477 and the budget estimate for the present year is Rs. 1,79,640. The revised estimate for the present year is Rs. 1,44,000, i.e. the budget for the present year was in excess of the revised figures by about Rs. 35,000. It is proposed by the Government for the next year to have Rs. 1,71,120 under this head. In view of the present revised figures given here I think a reduction of Rs. 25,000 can be easily made and I expect that the Hon'ble Minister will see his way to accept this reduction.

The Hon'ble the President : There is motion No. 11 on the notice paper. Does it refer to professors? There is nothing to show what item it refers to.

Dr. Ganesh Prasad : It refers only to professors.

The Hon'ble the President : Will the honourable member speak?

Dr. Ganesh Prasad : I shall be as brief as possible. I wanted only to give expression to the opinion that prevails in the United Provinces that the social relations between the Indian and the European members of the staff of Rurki College are far from what they ought to be. The relations between the Indian and non-Indian students are also bad. This state of affairs will affect the work of the college. That was the only thing that I wanted to bring to the notice of the Council.

The Hon'ble the President : If the honourable member's motion refers to general policy that will come later on.

Mr. A. H. Mackenzie : The reason for the increase in the pay of professors and other gazetted officers is that the re-organization scheme of the Rurki College came into effect only last year. Only part of the provision made in the budget of last year was required in that year. It will be seen also that reductions to the extent of Rs. 33,000 have already been made in the budget by the Accountant-General. I may inform the House also that the whole question of the staff of the Rurki College is at present under consideration. A committee was appointed to go into the question of the length of the course of the College and to make recommendations in regard to the strength of the staff. The report of that committee was considered by the advisory council of the college last Sunday. The advisory council considers that before definite steps in the direction of reduction of staff can be taken it will be necessary to revise the College syllabuses in detail, and they have suggested that this revision should be taken in hand. I have mentioned that fact merely to show that the question of the staff of this College is engaging the attention of the Government and of the advisory council. As regards the remarks made by Dr. Ganesh Prasad, I am not sure whether he has expressed his own personal views or an opinion which he has got second hand. In any case there is the advisory council of the college which is a link between the college and the public and it is always open to any one who has any grievance about the Rurki College to bring any facts in his possession to

the notice of Government, when the matter will be looked into by the department and, if necessary, the advice of the advisory council will be taken.

The motion was put and negatived.

Pandit Nanak Chand : I move that the net demand for Rurki College under "31A—Education—University—(d) Government Professional Colleges" (items—purchase of press stock Rs. 32,000 and petty construction and repairs Rs. 44,859) be reduced by Rs. 50,000. If the honourable members will please turn to page 69 they will find under "Photo-Mechanical and Lithographic department" a sub-head "Purchase of press stock." Under this head the accounts for 1922-23 are Rs. 15,383 and the revised estimate for this head, together with the purchase of tools and plant for the present year, amounted to Rs. 16,000. For the next year Government want Rs. 32,000 for the purchase of press stock, that is Rs. 16,000 in excess of the revised figure. If we take together press stock and tools and plant there is a clear increase of Rs. 20,000. Then under the head "Petty construction and repairs" the budget estimate for the present year is Rs. 16,884 and the revised estimate is Rs. 22,000 and the budget estimate for the next year is Rs. 44,859. Thus this figure exceeds the revised figure for the present year by Rs. 22,859. It is under these two heads that I propose a reduction of Rs. 50,000. I hope the Hon'ble Minister will see his way to accept this reduction.

Mr. E. A. H. Blunt : I suggested to the Hon'ble Minister that he could safely take a reduction of Rs. 16,000 on the purchase of press stock. But I think it is not possible to take any reduction on petty construction and repairs. The figures of last year referred only to recurring items, to the repairs proper, and the increase is consequently due entirely to certain new items which the honourable member will find embodied in the schedule of new items at the end of the memorandum at page 8 in the appendix. The items 9 to 14 refer to all sorts of alterations, and I understand they are very urgently required. The Government is unable to accept any reduction there. In the circumstances, I move that the figure "Rs. 16,000" be substituted for Rs. 50,000.

The motion that for the figure Rs. 50,000 the figure Rs. 16,000 be substituted, was put to the Council and adopted.

The original motion as amended, was then put to the Council and adopted.

Dr. Zia-ud-din Ahmad : I move that the demand under 31A—Education, sub head University be reduced by Re. 1.

My intention in moving this motion is to draw the attention of the Government to certain points in connection with the Rurki College.

As honourable members are aware a committee was appointed by the Government to inquire, among other things, into the conditions of admission at the Rurki College. I wish to know whether the Government has done anything in this matter.

The second point is that the cost of education in the Rurki College is out of all proportion to the number of students admitted every year. The Rurki College admits only thirteen students from our provinces; whereas a large number of students come from other provinces. It is really not a provincial college, but an Imperial College. I am not a great

Dr. Zia-ud din Ahmad.

advocate of provincialism myself, and I do not wish that the doors of the Rurki College should be closed to students of other provinces. But what I want to know is whether it is not fair to ask the Government of India to pay a portion of the expenses of this institution. The professional colleges in the Punjab, particularly the Medical College at Lahore, do not admit students from these provinces. The reason is that they are governed by the regulations of the Punjab University. The Medical College, Lahore, has explicitly laid down that only students who pass the examinations of the Punjab University could be admitted to it. I therefore hope that the Government will look into the matter. If they decide that the Rurki College should remain an Imperial institution then the Imperial Government should be asked to pay a portion of the cost, and if they continue to pay all the expenses and keep its doors open to the students of every province then we should see that similar institutions of other provinces should be open to the students of these provinces.

Mr. E. A. H. Blunt : I can assure the honourable member that the Government of India do pay a contribution on account of the Rurki College. The figure this year is one lakh. We find that there is a reduction of the contribution from other Governments for training of their students at the Rurki College.

Dr. Zia-ud din Ahmad : I refer to the Military Engineer Class.

Mr. E. A. H. Blunt : They also pay.

The motion was, by leave of the Council, withdrawn.

Rai Bahadur Lala Sita Ram : I move that the demand (31B—Education—Secondary) be reduced by Rs. 11,724 (provision for starting Biology in the Queen's Intermediate College). I must say at once that there must be provision for Biology in every college in these provinces and I do not see any urgent necessity for starting Biology classes in the Queen's College at Benares. I know that if the Director of Public Instruction is satisfied he will have it, but I will ask him to consider whether it is so urgent as to press his motion.

Pandit Nanak Chand : I have nothing to add to what has been said.

Mr. A. H. Mackenzie : I think that the provision of Biology is an urgent need of the Benares Intermediate College. The college was at one time teaching up to the B. Sc. standard and accordingly it has now laboratories which have more accommodation than is required for intermediate classes teaching Physics and Chemistry only. We have therefore accommodation available for Biology. There will be no non-recurring expenditure for buildings. All we require is the money for one teacher and some furniture and equipment. My ground for pressing for Biology in the Government Intermediate College, Benares, is not simply that Biology is a subject which is required for admission to the Medical College, Lucknow, but also that it is a subject which is of great educational value. I think that more than any other subject it can inculcate in students a love of nature and develop their powers of observation. We are continually being criticized that we do practically nothing in our lower classes in regard to the training of students in simple observational work. We have little in the way of nature study corresponding to what is taught in Western countries.

I strongly feel that we must begin with the training of teachers. Many of our teachers acquire at our Intermediate Colleges their knowledge of the subjects which they have subsequently to teach. It is as much on this ground as on any other that I wish to have Biology in the Queen's College, Benares. We shall through this subject equip young men who are going to be our school teachers with the knowledge which they require in order to teach elementary nature study in schools.

Rai Bahadur Lala Sita Ram : I think that in view of the reasoning advanced by the Hon'ble Director of Public Instruction there should be Biology classes practically in every college in these provinces. If it is necessary to have Biology in the Intermediate College at Benares in order to train teachers a more suitable place for it is the Training College at Allahabad.

The motion was put and negatived.

Thakur Hanuman Singh : I rise to move "that the sum of Rs. 12,375 be omitted under "31B—Education—Medical inspection of school children."

This amount has been provided for in the budget for the medical inspection of school children. By moving this motion I do not deny the usefulness of medical inspection of school children, but what I desire to bring to the notice of the Government and the Director of Public Instruction is that this amount is wasted in that direction. Unless there be a medical organization for the inspection of schools it is no good to pay to doctors this paltry sum. In fact these officers go to schools now and then without making any inspection whatsoever. I do not desire to make any long speech about this matter. It is a matter of commonsense and I hope every member will agree with me that for such a big province Rs. 12,000 is too small. Either make a big provision or make no provision at all. The Director of Public Instruction while speaking on the Allahabad University said that the Allahabad University had no medical inspection. When such a big institution has no medical inspection it is no good to provide for small schools in districts.

Mr. A. H. Mackenzie : I may first briefly refer to the history of our present scheme of medical inspection. It was instituted in 1919 and it was admittedly rather an elaborate scheme. Under that scheme medical officers visited our High Schools and saw every single student on parade. Not only so, but they had to report on the sanitation of the premises and they advised head masters regarding infectious diseases. It was realized after some experience that the system which expected so much from a monthly visit by an assistant or a sub-assistant surgeon was not effective and accordingly the department took steps to put it on a more satisfactory footing. The nature of the changes which were . . .

The Hon'ble the President : We must leave the history at the title page.

The whole demand for education (Rs. 1,67,88,500) minus Rs. 16,000, the reduction made by the Council, leaving a net demand of Rs. 1,67,72,500, was then put and voted.

The Council was then adjourned until the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Wednesday, 12th March, 1924.

THE Council met in the Council Chamber, Lucknow, at 11 a.m.
The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. A. B. Reid.
Mr. A. G. P. Puhān.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad E'jaz
Raja Bahadur Brij Nar
Mr. H. C. Desanges.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad
Babu Mohan Lal Sakse
Babu Damodar Das.
Thakur Moti Singh.
Rai Bahadur Lala Sita
Babu Bhagwati Sahai E
Thakur Manjit Singh R
Rai Jagdish Prasad Sah
Chaudhri Sheoraj Singh
Pandit Nanak Chand.
Thakur Rajkumar Singl
Rai Bahadur Babu Ram
Rai Amba Prasad Sahil
Rai Bahadur Pandit Kh
Raja Suryapal Singh.
Chaudhri Badan Singh.
Chaudhri Sardar Singh.
Thakur Sadho Singh.
Pandit Brijnandan Pra
Pandit Bhagwat Naray:

Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukm Tej Pratap Singh.
Rai Bahadur Pandit Balbhadra Prasad
Tiwari
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyā.
Raja Sri Krishna Dutt Dube.
Thakur Hanuman Singh.
Raja Indrajit Pratap Bahadur Sahi.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Raja Shankar Sahai.
Dr. Jaikaran Nath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Babu Bindeshwari Prasad.
Kunwar Surendra Pratap Sahi.
Dr. Muhammad Naim Ansari.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Kunwar Inayat Ali Khan.
Khan Bahadur Chaudhri Amir Hasan
Khan.
Maulvi Obaid-ul-Rahman Khan.
Mr. Masud-uz-Zaman.
Nawabzada Muhammad Yusuf.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Asbig Hussain.
Khan Bahadur Maulvi Fasih-ud-din.
Mr. Asbig Hussain Mirza.
Khan Sahib Munshi Siddiq Ahmad.
Qazi Habib Ashraf.
Lieut. Shaikh Shahid Hussain.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Lieut. Shaikh Imtiaz Rasool Khan.
Thakur Jagannath Bakhsh Singh.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad.

R SWORN.

B. Reid.

men to form and supervise co-operative societies in their villages under the direction and control of the Registrar. But the District Officer or Special Manager must be kept informed of the organizer's proceedings, and the estates in which the experiments will be tried will be selected by the Registrar in communication with the Board.

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HINDU JAT OFFICERS IN GOVERNMENT SERVICE.

10. **Chaudhri Jaswant Singh** : What is the population of Hindu Jats in the United Provinces and how many Hindu Jat officers are there in service in all the departments separately under the United Provinces Government ?

Mr. G. B. Lambert : The latest census figures are 389,587 males and 298,791 females. As regards the second part of the question Government have no certain information and cannot obtain it without disproportionate labour.

THE BUDGET, 1924-25.

DISCUSSION OF DEMANDS FOR GRANTS.

Demand No. 5.

HEAD 22—GENERAL ADMINISTRATION.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under head 22—"General Administration" a sum of Rs. 1,06,29,000 be provided, and I move that this sum be voted,

The Hon'ble the President [referring to a motion to reduce the demand under sub-head 22A—"Emoluments of Executive Council members"] : Does this motion deal with the salary of the members of the Executive Council ?

Thakur Hanuman Singh : Yes, Sir.

The Hon'ble the President : That item is non-votable.

Thakur Hanuman Singh : I do not want to reduce the item. I simply want certain information.

The Hon'ble the President : The motion is not in order.

The Hon'ble the President [referring to a motion to reduce the demand under sub-head 22B—"General Administration"] : To what item does this motion refer ? Is it a general motion ?

Thakur Hanuman Singh : It is in connection with the Legislative Council. I do not know whether it is in order or not.

The Hon'ble the President : Does it refer to any definite item in the budget ?

Thakur Hanuman Singh : Yes. It refers to the expenditure incurred on the Legislative Council.

The Hon'ble the President : The honourable member will have an opportunity of speaking later on the general motion.

The Hon'ble the President [referring to a motion to reduce the demand under sub-head 22C—"General Administration—Civil Secretariat establishment" by Rs. 1,800]: What item does this motion refer to?

The Hon'ble Mr. S. P. O'Donnell: It refers to the reduction of a stenographer under Civil Secretariat Establishment.

I beg to move that the demand under "22C—General Administration (Civil Secretariat Establishment)" be reduced by Rs. 1,800. The reduction is on account of the abolition of one post of stenographer. This is in accordance with the recommendation of the Economy Committee.

The motion was put and adopted.

Rai Bahadur Lala Sita Ram: I beg to move that the demand under "22C—General Secretariat allowances" be reduced by Rs. 5,000. Honourable members will find on page 39 of the Detailed Estimates under "Allowances" in the middle of the page two items "Travelling allowance" and "Hill journey—travelling allowance." The provision for the travelling allowance for the budget year is Rs. 40,400 and for hill journey it is Rs. 9,000. Well, Sir, I do not know whether the Secretaries to Government do much of travelling. I have not seen much of travelling done by them except when they go to Allahabad occasionally. Even if they do, I think the item is a large one. A bird has whispered into my ears that it concerns the travelling allowance of Ministers and other Members of the Government. Apart from the fact that it may appear a little derogatory to Members of the Government to be classified under the "General Secretariat" I think if honourable members will turn to the Government Resolution issued on the Report of the Economy Committee, they will see that the Resolution says:—

"It is probable that the Committee do not realize how considerable was the addition made by the tour charges of the members of Government. It amounts to some Rs. 35,000 out of Rs. 56,000."

Now this item of Rs. 56,000 appears on page 38 under "Heads of Provinces," and it was to this item that the Economy Committee wanted to draw attention. The Government Resolution says that out of this Rs. 56,000 Rs. 35,000 are on account of travelling allowance given to the members of Government. So that I think the contention, if it is made at all, that this item of more than Rs. 40,000 has been put down for the travelling allowance of the Members of Government, should not have any force. I think there is room for reduction here for another reason. I believe that touring under this head can be curtailed to some extent by Members of the Government even. Perhaps we have had too much of touring on the part of some Members of the Government. Rupees 40,000 were provided last year. The Hon'ble the Finance Member perhaps never goes on tour; I wish he did. The Hon'ble the Home Member does not generally go on tour. The late Hon'ble Minister of Local Self-Government, I mean Pandit Jagat Narayan, very seldom went on tour. It was only the Minister of Education and Industries who did make some touring. This item seems to be a large one. Perhaps there is room for economy under this head.

Mr. E. A. H. Blunt : This figure of Rs. 40,400 for travelling allowance includes a great many more people than the Secretaries: it includes all their clerks for instance and it also includes the Hon'ble Members and Ministers as stated by the honourable mover. I do not know whether they consider it derogatory to be classed with Secretaries; certainly Secretaries consider it a high honour to be classed with them. I think, Sir, that all Members and Ministers spend a good sum of money in travelling; they cannot help it. They are extraordinarily expensive people to move about. They are more expensive than even the High Court Judges. Even a single journey costs a very large sum. However, I understand that honourable members of the Government are prepared to curtail their journeys: and accordingly Government is ready to accept this reduction of five thousand.

The motion was put and adopted.

The Hon'ble the President [referring to a motion to reduce the demand under sub-head 22C—"General Secretariat" by Rs. 100.]: What does this motion refer to?

Rai Bahadur Lala Sita Ram : I wish to refer to certain appointments in the General Secretariat.

The Hon'ble the President : Does the honourable member wish to make general remarks?

Rai Bahadur Lala Sita Ram : Yes, Sir.

The Hon'ble the President : I will give an opportunity later on.

The Hon'ble the President : Before I come to motion No. 7, there is a motion No. 9 [for reduction of Rs. 1,00,000 under sub-head 22C (a)—"General Administration"] in the name of Dr. Shafa'at Ahmad Khan. To what does that refer?

Dr. Shafa'at Ahmad Khan : My motion refers to the salaries of the Secretaries.

The Hon'ble the President : It is a non-votable item.

Dr. Shafa'at Ahmad Khan : I want to discuss the principles underlying the appointment of officers on special duty and Council Secretaries.

Rai Bahadur Lala Sita Ram : There are no Council Secretaries.

The Hon'ble the President : The estimate for the officer on special duty is only Rs. 4,000 while the honourable member's motion is for a reduction of a lakh of rupees.

Dr. Shafa'at Ahmad Khan : I wanted to amend that in order to be able to discuss the principles underlying the appointment of Secretaries.

The Hon'ble the President : We have now come down to allowances

Dr. Shafa'at Ahmad Khan : Then I do not wish to move it.

Rai Bahadur Lala Sita Ram : I move that the demand (22C—General Administration—Court of Wards department) be reduced by Rs. 1,200 under allowances. Details of this demand will be found at page 40 of the detailed estimates. According to the revised estimate for 1923-24 the expenditure under travelling allowance was Rs. 200, under bill journey travelling allowance Rs. 100, total Rs. 300, but the budget figure for 1924-25 is put down at Rs. 1,650. That is why I have brought this motion for the reduction of Rs. 1,200.

Mr. R. Burn: I am prepared on behalf of Government to accept this motion. I find that we have already reduced these two items—traveling allowance from Rs. 1,000 to Rs. 200 and hill journey travelling allowance from Rs. 450 to Rs. 250.

The Hon'ble Mr. S. P. O'Donnell: I understand the total reduction asked for is Rs. 1,200 that is accepted.

The motion was put and adopted.

Rai Bahadur Thakur Mashal Singh: I beg to move that the amount of Rs. 12,790 provided in the contract contingencies (22C—Secretary and Headquarters Establishment—Board of Revenue) be reduced by Rs. 2,000.

A reference to page 40 of the detailed estimates will show that Rs. 12,790 has been allotted under contract contingencies, Board of Revenue. In the current year's budget Rs. 9,166 was provided and the revised estimate was Rs. 9,700. I think there is room for economy here and the Senior Member, who was President of the Economy Committee, will, I hope, be good enough to reduce this amount by Rs. 2,000.

Mr. S. H. Fremantle: When the Board's executive functions were made over they had no very definite statistics on which to base the future expenditure on these contingencies and they fixed them rather low, and the revised budget figures were based on five months' actuals, which do not give a proper estimate for the whole expenditure of the year. I have however been into these figures and I find—and I am authorized by Government to say—that a reduction of Rs. 1,000 can be made in this amount.

The Hon'ble the President: Will the Government move that as an amendment?

Mr. S. H. Fremantle: I move that Rs. 1,000 be substituted for Rs. 2,000 in the original motion.

The Hon'ble the President: The original motion in the name of Rai Bahadur Thakur Mashal Singh is that a reduction of Rs. 2,000 be made in the item of Rs. 12,790 provided under contract contingencies (22C—Secretary and Headquarters Establishment—Board of Revenue). Since when a motion has been moved that Rs. 1,000 be substituted for Rs. 2,000.

The amendment was put and adopted.

The motion that Rs. 1,000 be reduced was put and adopted.

The Hon'ble the President [referring to a motion to reduce the demand under sub-head 22C—"Court of Wards department" by Re. 1]:

Is this a general motion or is it to reduce any particular item.

Thakur Hanuman Singh: It is a general motion.

The Hon'ble the President: I will give the honourable member an opportunity to speak later on the general question.

The Hon'ble the President [referring to a motion to reduce the demand under sub-head 22C—"Secretariat and Headquarters Establishment" by Rs. 100]: Is motion 14 also a general motion?

Mr. David: It refers to Secretariat and is put only as a means of drawing attention . . .

The Hon'ble the President: I will give the honourable member an opportunity to speak later on the general motion.

Rai Bahadur Lala Sita Ram: The motion in my name is that the demand under 22D—(General Administration—Commissioners—for printing charges—be reduced by Rs. 1,500.

The Hon'ble the President: Before I come to that there is a motion in the name of Pandit Brijnandan Prasad Misra to omit the whole demand. Is that to be moved?

Pandit Brijnandan Prasad Misra: Yes, Sir.

The Hon'ble the President: I will take the larger sum first. I will ask Pandit Brijnandan Prasad Misra to move his motion.

Pandit Brijnandan Prasad Misra: I move that the demand under "22D—Commissioner's staff" be reduced by Rs. 3,42,562.

I think the House will be fully aware of the fact that the question of the abolition of the Commissioners has been pending for a very long time before the Government, and no definite steps have so far been taken. At a time of financial stringency when it was very necessary that economy should have been observed on all sides, the unnecessary posts of these Commissioners should have been abolished. The Council had been insisting on this for no less than three years and a Committee was subsequently formed for going into the question and the report of that Committee has been published and has been before the Government for a sufficient length of time. Yet we are not aware of any steps having so far been taken upon the report and the economy which could have been effected much earlier has not yet been effected. As the House is fully aware, the Commissioners have very little to do. The Committee itself has gone into the question of their work and it has decided that at least five of the posts can be abolished. That is a recommendation which came from a majority which consisted of officials and non-officials both combined. The non-official majority had however made a recommendation that the posts of all the Commissioners should be abolished. Even if the recommendation of the combined majority were accepted the five posts should have gone and that would have been a great retrenchment and the result would have been that the necessity for further taxation which now hangs over the head of the province would have been avoided. The Commissioners are known to be post offices through whom the papers of others have to pass. They have no other important work. It is said their appellate work is important; but when the Board of Revenue exists that can be very easily transferred to the Board. They have no other important functions to perform except to have sufficient leisure to attend the courts now and then for an hour or two. I do not want to go into details of the work at present done by Commissioners in the United Provinces; all I have to say is that it is not important. I know of very little official business which they have to transact; they have got plenty of time for shooting and the whole of their time is passed in sports and hunting. Therefore, if we want to retain these posts in order to give opportunity to a certain number of officers to indulge in shooting it is a different thing. But if we really want economy to be effected it is necessary that these posts should be abolished. I put a question a few

days ago in this Council, asking if the Government could give information as to how many tigers the Commissioner of Kumaun had shot during the whole period he was there. The reply was that that information could not be given. I would be considered a little unjust if I were to go on putting all my force against one single Commissioner and to say that the greatest part of his time is spent either in hunting or fishing. The unpopularity which attaches to him is also very well known. But it is not only in the case of that Commissioner we find the same thing in the case of other Commissioners also. For these reasons I think it is a fine opportunity for this House, and it can very easily effect economy, by supporting my motion for reduction. With these words I commend this motion for the acceptance of the Council.

Mr. Mukandi Lal : It was remarked the other day by some honourable member in this House that our honourable friend from Pilibhit (Pandit Brijnandan Prasad) comes from the vicinity of forests, such parts as the Bhantus frequently pay visits to.

Pandit Brijnandan Prasad Misra : I thank the honourable member for the compliment.

Mr. Mukandi Lal : Tigers will thank you for moving the present motion. I find that he is a victim of some shooting expeditions also. Perhaps he might have been impressed into *begar* for shooting expeditions. That is why he particularly attacks one particular Commissioner, the Commissioner of Kumaun. But I am not concerned with individual Commissioners, I propose to deal with the principle which underlies the office of the Commissioner. Now, the Committee that was appointed by the present Government to consider Commissioners and their duties "by resolution No. 2261, dated the 16th May, 1922, in its paragraph 29, that has been referred to by my honourable friend Pandit Brijnandan Prasad, say: The non-official members, excepting the Raja Sahib of Jahangirabal, still adhere to the view that the post of Commissioners can be abolished without detriment to the general efficiency of the administration. They considered the post is now quite unnecessary and not in keeping with the spirit of the reforms and that for this reason and also because of the urgent need for economy the post (of Commissioner) should be abolished as early as possible. This was the view of the non-officials with one exception. As to the view of the majority of the whole committee, they came to the definite conclusion that five commissionerships could be abolished and they said that the result of the abolition of five commissionerships would result in a saving of Rs. 2,19,000. In my first speech on the budget debate (general discussion), I asked whether the Hon'ble the Finance Member had done everything possible to economize before he presented the budget to this Council. This very big figure of Rs. 2,19,000 has been passed over by the Hon'ble the Finance Member. Therefore it gives us an opportunity to press for this reduction which would give us a saving of two lakhs and more. Even if we were content with the abolition of five commissionerships (though the grievance of my honourable friend for Pilibhit would not, in that case, be remedied because this committee recommends that the commissionership of Kumaun and Rohilkhand would still remain), however, I hope he would be satisfied if the Commissioner of Kumaun would not live in the vicinity of Pilibhit but had his headquarters at Bareilly, so that he got little opportunity of carrying on his shooting expeditions in the neighbourhood of Pilibhit.

[Mr. Mukandi Lal.]

While this question was debated in one of the earlier Councils, Sir Ludovic Porter said in giving reasons for the necessity and use of the Commissioners that the main function of the Commissioners is as that of a coachman who had "to drive a team of horses and as being the guides, advisers and mentor of the Collectors, who restrained them when necessary and stirred them up when necessary." I submit that now the district officers do not require to be in the leading strings of Commissioners. To my mind the post of commissionership is one of the old relics of the ancient times when it was absolutely necessary to keep a connecting link between the Local Government and district administration and that might have been due to the fact that there was want of communication, want of railways etc. But this is not the case now. Therefore the commissionership should not continue. The same committee has given very detailed reasons for the existence of commissionerships in early days. In my final remarks I will point out to this Council that none of these reasons, which might have existed at the time when commissionerships were brought into being, do not exist now. The committee referred to states:—"The institution of Commissioners was an integral part of the old system of bureaucratic Government, when even the Governor General of India had more than ordinary concern with the minor details of provincial administration and it was thought necessary to have intermediate agencies between the Local Government and the district administration. But even then the Commissioner was not recognized as an indispensable intermediate authority in all parts of India. In Madras there were no divisional Commissioners between the Board of Revenue and the Collector while in Bombay there was no intermediate authority (like the Board of Revenue in these provinces) between the Commissioners and the Local Government. At that time land revenue policy was not settled, the system of administering civil, criminal and revenue justice had not fully developed, the Collectors were responsible for almost all the administrative work of their districts and separate administrative departments like those dealing with Public Works, Education, Police, Forest, Medical Administration, Sanitation and Prisons, etc., had not been evolved. At that time the Provincial Governments merely acted as agents of the Government of India, which exercised a very full and constant check over their proceedings. These facts coupled (in Provinces other than Bombay and Madras) with the fact that the head of the Government was a single Lieutenant-Governor or Chief Commissioner unaided by any executive council necessitated the existence of one or more intermediate authorities to supervise the district administration. At that time the Commissioners exercised wide powers in revenue matters and had police and judicial jurisdictions also. But in no province other than the United Provinces and Bengal (of which the United Provinces perhaps once formed a part) was it ever thought necessary to maintain at full strength a double set of intermediate authorities between the Government and the district."

I will not quote the latter portion of this extract for the sake of brevity, but I simply submit that these reasons which might have necessitated the creation of the office of Commissioner and that made it necessary for the Government to create the post of Commissioners, do not exist today. Now, the Decentralization Commission was of

opinion that the time has come for the abolition of commissionerships. The actual words are:—"It is more desirable to abolish the Commissioner than the Board of Revenue as a consequence of the introduction of Council Government." Similarly, when taking evidence, the Royal Commission came to the same conclusion, and, referring to the opinions of some of the leading politicians of India, it said: "It is one of the serious disadvantages of the institution of Commissioners that it prevents the district administration from developing into a real and popular administration by keeping the District Officers in leading strings. That is to say it is now the considered opinion of officials and non-officials in India that the time has come when the Commissionerships should be abolished. The committee referring to the opinion of Sir Ludovic Porter, who thought:—"Commissioners were necessary to keep in touch with the district administration and to be ready in time of riot or political agitation or political disturbance to quell the disturbance, remarked "Judging from what is open to the public eye, they are prepared to assert that in the political situation of the last two years caused by the non-co-operation movement, the districts which remained comparatively calm and quiet were those in which the district officers acted with calmness, foresight and patience, and that different situations were created in different districts in the same division because of the different temperaments of the district officers, which shows that the existence of the Commissioners made no material difference."

I will finally conclude by giving a concrete example to support the opinion of the committee.

Take the case of the Kumaun commissionership. There is one Commissioner for the three districts of Almora, Garhwal and Naini Tal. During the agitation of 1920, 1921 and 1922, what do we find in one district, namely the district of Garhwal to which I belong—comparative calmness; it may have been due to the temperament of the people; but I submit that if Mr. Dible was the Deputy Commissioner of Garhwal in 1920—1922 instead of Mr. Mason, or if Mr. Mason was not in the district at that time but the present Deputy Commissioner Mr. Acton, was in his place the same situation might have arisen in the district of Garhwal which had arisen in other parts of the division. The Commissioner is the same, the district is the same, the general administration of the whole province is the same, yet we find a comparative calmness in one district which is due to a particular type of officer who happens to be in a particular district. Therefore, I submit that a Commissioner has nothing to do with the calmness or the tranquillity or the peace of a particular district. Therefore I submit that the Commissioners are no more necessary and the time has come when the post of Commissioners should be abolished in the name of good administration, for the sake of contentment and for economy's sake for which we are sitting and voting this budget. The posts of Commissioners should not merely be reduced by five but should be abolished, I submit, altogether so far as it lies in our power in regard to voting for their staff, and establishment. We cannot vote for their salaries, but the House has the right and power to refuse supplies for their perquisites.

The Hon'ble Mr. S. P. O'Donnell: I explained the other day during the course of the general discussion what the position was as regards the Commissioners. But it seems that I did not make myself very clear on the matter, since a number of honourable members appear to

[Mr. S. P. O'Donnell.]

be under the impression that the Local Government has power to pass orders on this question. As many other honourable members are aware that of course is an entire misapprehension. We have no power, no authority, to make any change whatsoever. All that we can do in this matter is to submit our recommendations to the higher authority; and that is what we have done. There has been no unnecessary delay on our part in submitting our recommendations. We took up this matter as soon as the budget session of last year terminated. I think those honourable members who belonged to the old Council will agree with me when I say that it was impossible for us to take up this portion until after the budget session.

I cannot say what our recommendations were. I am, as honourable members are aware, precluded by Standing Orders from making any statement on the subject. Therefore, it is equally impossible for me to discuss the arguments for or against the retention of Commissioners. I will merely observe that I do not accept the grotesque account of the functions of the Commissioners given by the honourable mover and in particular the statement that the Commissioners exist entirely for the purpose of hunting, shooting and fishing. I cannot say, again, when orders will be received. As the question, however, is one which appears to fall within the scope of the Royal Commission I presume orders are likely to be received when orders are passed on that report. When orders have been passed and have been received by us there will of course be ample opportunity for a discussion. In the meantime, the position is that the Commissioners are there, and obviously it is essential that their staff should be retained. I hope I have made the position clear to the honourable mover. There is no action which the Local Government can take. I therefore hope that, unless his object is merely to embarrass the Government, unless his motion is a wrecking motion, he will see his way to withdraw.

Thakur Sadho Singh: I wish to draw the attention of the House to the evasive character of the answer of the Government on this item. They have appointed an Economy Committee so-called, but really to prepare the way for the recommendations of the Lee Commission, to increase the emoluments of the Indian Civil Service. And still they are not willing to take any decision upon the question of the abolition of Commissioners decided so long ago. I think the House cannot express their emphatic protest against that matter except by rejecting the demand for the establishment of the Commissioners.

Nawabzada Muhammad Yusuf: I had no intention of taking part in the debate on this motion. But I find that one of my Swarajist friends thinks that the Economy Committee had not risen to the occasion and had not done its clear duty in the matter. Sir, it was entirely out of deference to the opinion of that committee which sat for that purpose that the Economy Committee did not go into the matter in detail. If that committee had not sat for that purpose certainly we would have gone into the details of the question and made recommendations. I have no desire to go into the merits of the question, as to whether the posts of Commissioners should be abolished altogether or whether their number should be reduced. There is the recommendation of the committee on the matter, and the Government have

sent up their recommendation, as has been pointed out by the Hon'ble the Finance Member, to the higher authorities. Government as it stands cannot do anything more in the matter for the time being. All that it can do is this, to send up the clear opinion of the House on this matter—the recommendation of the House, that the earliest steps should be taken with a view to give effect to the recommendations of that Committee. I understand that is the ultimate object of the honourable mover. That being so, I would ask the honourable mover to amend the motion in such a way as to make a reduction of five commissionerships only possible; so that the reduction may be accepted by the House.

Rai Bahadur Lala Sita Ram : So far as this motion is a motion of protest I whole-heartedly and entirely join in making that protest. It was some time ago that at the repeated requests of this House that the Government, the late Government I should say, appointed a committee to inquire into the strength and into the question of retention of the posts of Commissioners. When that committee was appointed, one of the Commissioners was a member of that committee and the present Senior Member of the Board of Revenue was its president. Extracts from the reports of that committee have already been read to the House by the honourable member for Garhwal. Action upon that report ought to have been taken long ago. But what do we find? According to the Hon'ble the Finance Member—I can quite appreciate his position in what he said the matter has been referred to the Government of India. But shall I be wrong if I say, Sir, that we have been fed with hopes so far as this question is concerned and may I remind this House in this connection that hope deferred makes the heart sick. We have been waiting and waiting almost indefinitely for a definite decision in the matter of Commissioners. Still the Government of India do not move and the Secretary of State perhaps will not move. I do not say it is the fault of the Local Government because we do not know what actually the Local Government has recommended and what correspondence is passing between the Local Government and the Government of India. If we have to make a protest about the delay in deciding this matter it is not against any action of the Local Government, simply because we have no information on the point, but against the delay, the undue delay, in arriving at a decision in the matter.

There is, however, one aspect of the matter which has to be placed before this House. The honourable mover's reduction, if it is passed, will fall not upon the Commissioners, who will go on merrily, perhaps more merrily fishing, and hunting, according to the member for Garhwal, for want of an establishment. We cannot touch them. They are entrenched behind the double wires and treble wires of wire fencing. We cannot touch them. They are "non-voted." Then, this vote of ours, if the item is reduced, will fall on whom? On the clerks and the establishment. What will be the result of it? The honourable mover, I know, is not actuated by any feeling of embarrassing the Government. He is not actuated by any feeling of obstruction or wrecking. That is not the intention at all. The intention is to make a protest, a strong protest. What are we to do? We have been making protests after protests. We must make an effective protest and the only way to make this effective protest is to do something with regard to this budget. Sir, one of the ex-Chief Secretaries of the Local Government speaking the other day in the Assembly said that the

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local legislatures had an effective voice in the control of the administration on the occasion of estimates. This then is the occasion when we have some control over the estimates. I therefore beg to move an amendment to the motion of the honourable member for Pilibhit in order to mark that protest and in order to save us from the feeling of embarrassment and in order to save the poor clerks from ruin, I beg to move an amendment that Rs. 10,000 be substituted for Rs. 3,42,562.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Officially I am in no way connected with this department. But with the permission of my friend and honourable colleague the Finance Member I wish to say a few words on this subject. The motion of reduction moved by my friend the honourable member for Pilibhit is a motion for three lakhs of rupees and the reasons given by him are that he wants to get rid of the Commissioners. As was just explained by Rai Bahadur Lala Sita Ram, if this motion is carried it will not affect the Commissioners in the least, but it will be those poor low-salaried clerks, almost all of them Indians, who will be affected by this motion of reduction. It reminds me, Sir, of a little proverb among Indians :—"If you cannot do anything to the owner of the donkey, then it is better to twist the ears of the donkey." Therefore if you cannot touch the Commissioners, you can get rid of the whole establishment. Sir, as a non-official member, I confess that I was never in favour of the retention of the Members of the Board and so many Commissioners. If, however, we want to get rid of all Commissioners, I think it will be necessary to make some other arrangement for the work which they do now. Suppose if you now do away with the whole establishment of Commissioners, where will your revenue cases go after the decision of the Deputy Collectors? Who will decide them? Further, if we do away with the whole establishment of Commissioners, what would be its result in the case of Municipal Boards and District Boards which are controlled by Commissioners? How would you be able to control them? Therefore the motion, as it stands, is certainly an obstruction, and I know that the majority of the honourable members of this House is not in favour of obstruction and that they want to have a reform. Of course they do not want to support Government in season and out of season, but by no means they are in favour of obstruction. Therefore I hope they will oppose the motion.

Rai Bahadur Babu Vikramajit Singh: I am in full sympathy with the motion which has been put forward by the honourable mover, but I can support him only to the extent as has been supported by my honourable friend from Meerut. The Hon'ble Minister for Industries and Agriculture pointed out that the Commissioners were necessary for the control of District Boards and Municipal Boards. I think, Sir, with due respect to him, he is entirely wrong. As far as I know they are more in the nature of an obstruction than in the nature of facilitating the work of Municipal Boards and District Boards. I know from my own experience that matters remain in the hands of Commissioners for months and months before they reach the Government, and in fact some times three-fourths of the year passes before the budget is sanctioned by the Government, because the matter remains in the hands of Commissioners and does not receive prompt attention. Therefore if the motion is to be opposed on that basis, I entirely disagree. It would be

much better in the interest of District Boards and Municipal Boards if there were no Commissioners and they were directly controlled by the Minister of Local Self-Government. Matters would then reach him promptly and quickly and would not be intercepted in the way.

If I can gauge the feeling of this House, I think that with the exception of one non-official member—I mean my honourable friend the Raja Sahib of Jahangirabad—we are all unanimous that all the Commissioners cannot be retained. In fact, Sir, the non-official members who were on the inquiry committee unanimously decided that there should be no Commissioners. It was only the official and non-official majority taken together which decided that the number should be reduced to half. Consequently I do not think there is any honourable member of this House who would come forward to advocate the retention of all the Commissioners. The only question now is in what way we would like to have our sense of disapproval and displeasure conveyed to the higher authorities to the Central Government and to the Secretary of State. We find, Sir, that the item of Commissioners is non-voted and the only votable item is the staff of the Commissioners. Of course we cannot touch the Commissioners direct, but we can touch them by cutting down their staff. I must make my position very clear that I do not stand for obstruction, nor do I think that my honourable friend from Pilibhit stands for obstruction. But the question is if the Government does not care to take prompt action and sleeps over the matter for years and years, in what manner can we, the representatives of the tax-payers, make ourselves heard or represent our grievances in a strong manner? I think the amendment which has been moved by Rai Bahadur Lala Sita Ram does not in any way embarrass the Government. It simply marks the protest of the House. If, therefore, a sum of Rs. 10,000 is cut down under this head, it will not affect the Commissioners themselves, and not their establishment, for a reduction to that extent can safely be effected under the travelling allowance of Commissioners. If, however, during the next twelve months no satisfactory solution is arrived at by the Central Government or the Secretary of State for India, next year we will be perfectly justified in voting not a single pice for the establishment of the Commissioners, and then the Commissioners would be free to enjoy the shooting and hunting expeditions, and we will see how long that enjoyment of theirs will be supported by the Government. With these words I support the amendment moved by my friend Rai Bahadur Lala Sita Ram, as this is the only way of expressing our strong disapproval in the matter.

Rai Bahadur Thakur Mashal Singh : I rise to support the amendment moved by Rai Bahadur Lala Sita Ram, and enter into an emphatic protest on the question of the retention of the Commissioners.

I was also a member of the committee which went into the question of retention or abolition of the post of Commissioners, and so I think I am justified in remarking that undue delay has been made already on this subject. It was on my resolution that a Committee was formed to inquire into the question of retention or abolition of Commissioners, and after going into the matter thoroughly all the members, official and non-official, came to the conclusion that at least half of the posts of Commissioners should be abolished. As regards the other half, there was difference of opinion, and here also a strong minute of dissent was appended to the report. Now, when so much has been done, it pains

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us to learn that no practical effect has yet been given to the recommendations of that committee. Under the circumstances I am constrained to join with the honourable mover of the amendment in the protest.

Pandit Nanak Chand : I rise to associate myself unreservedly with the object which the honourable member has in view by moving this reduction. I think I am right in saying that an overwhelming majority of non-officials has always been of opinion that the posts of Commissioners should be abolished altogether. This is not a new question. It has agitated the public mind for a series of years and it was even considered by the Decentralization Commission. In the late Council my friend Rai Bahadur Lala Sita Ram and Mr. Chhail Bihari Kapur brought forward resolutions recommending to the Government to take steps to consider the question of the abolition of commissioner-ships. My honourable friend Thakur Mashal Singh came to the help of the Government and he brought forward his amendment which was ultimately accepted. The amendment required the Government to go into the duties of the Commissioners and to consider the question of the abolition, reduction or retention of their posts. It was in view of that amended resolution of my honourable friend Rai Bahadur Thakur Mashal Singh that the committee was appointed to which reference has already been made by the previous speakers. The committee unanimously recommended the abolition of five Commissioners. Now the Hon'ble the Finance Member was pleased to say that under the Standing Orders he is prevented from disclosing what the nature of the Government's recommendation on this report is. He has further said that this question now depends upon the recommendations of the Lee Commission.

The Hon'ble Mr. S. P. O'Donnell : On a point of order, Sir. I did not say that it depends on the recommendations of the Lee Commission, but the orders will be passed by the Secretary of State. I merely stated that the matter was one which, I understand, is within the scope of that commission.

Pandit Nanak Chand : I am thankful to the Hon'ble the Finance Member for this correction. But ultimately it comes to this that because the question is within the scope of the Lee Commission the Secretary of State may come to a decision different from that of the committee of this Government, and then we are assured by the Hon'ble the Finance Member on behalf of the Government that this Council will be entitled to discuss the decision and convey its opinion again to the Secretary of State. The attitude of my friend the mover has been suspected to be obstructive, but I venture to think that it is not the attitude of the mover which is obstructive, but it is the attitude of the Government which is obstructive, in this matter at least. The Hon'ble the Minister for Agriculture and Industries inquired as to what would become of the cases that have to go in appeal before the Commissioners? But I just want to ask him as a non-official Indian as to how long he will go on with these dilatory processes. I personally being a responsive co-operator do not wish to embarrass the Government, but there are certain limits and I think discriminate obstruction is not altogether excluded from the programme of responsive co-operation.

But it will be the Government and Government alone which will be forcing the responsive co-operators to adopt obstructive methods at

least on certain issues. I think this is a question where we will not be wrong if we adopt an attitude which may appear to some or to the Government obstructive.

Rai Bahadur Thakur Mashal Singh : Is it not obstructive ?

Pandit Nanak Chand : With these words I wholeheartedly support the object which the honourable mover of this resolution has in view and I wish that the Hon'ble the Finance Member might give some assurance to this House which may convince us that the Government is in earnest in meeting the wishes of the non-official members and that the Government will get this question decided at an early date. We yet wish to give another opportunity to the Government, and with that view alone I am prepared to support the amendment of my friend Rai Bahadur Lala Sita Ram.

Khan Bahadur Maulvi Fasih-ud-din : I had no intention of speaking on this subject, but I find that the debate has taken a very peculiar shape and I shall be pardoned if I say that at least to my mind it has taken the shape of one of the debates which we often notice in the Aligarh Union Club. The simple question before us is whether the amount of 2 lakhs and odd which has been proposed for reduction by the honourable member from Pilibhit should be accepted or not. The other point for our consideration is whether the reduction in that amount to a figure of Rs. 10,000 which has been proposed by the honourable member from Meerut should be accepted in preference to the amount which has been proposed by the honourable member for Pilibhit. We do not wish and we should not at least on this occasion make any attempt to go into the feasibility of the abolition of commissionerships. Personally speaking I am very much in favour of reduction in the number of Commissioners at least. I have already said in my speech in connection with the general debate on the budget that the new machinery of reform has not been allowed to supersede the old machinery, and by this remark I simply meant that we have on one side four members of the cabinet in addition to the old machinery of administration, namely Commissioners and Members of the Board of Revenue and the whole set of the Secretariat staff. This will very clearly show that I do not advocate the retention of as many Commissioners as there happen to be at present. No one will be more glad than myself if the number is reduced. But the question before us is whether we really want to effect any reduction in connection with the expenditure over these Commissioners or whether we want to lay down our protest against the delay which has been made in giving effect to the proposals of the committee which was appointed for this purpose. I think for this reason the best course would be to make an amendment of Re. 1 in order to enable the Government to see that we are not in favour of the retention of so many Commissioners. I think the members of this Council will find it very awkward to vote for 2 lakhs or Rs. 10,000 specially when we know that it is not in the power of this Council to abolish the posts of Commissioners in connection with the discussion over this budget and for this reason I move that a reduction of Re. 1 be made.

The Hon'ble the President : There is one motion more in the name of Rai Bahadur Lala Sita Ram for reduction of Rs. 1,500 in connection with printing charges. That will go out if the motion for reduction of only Re. 1 is carried.

Thakur Manjit Singh Rathor : I think the question of reduction of commissionerships has already been thoroughly discussed before this House. However, I think it is necessary for me to say that the greatest blot upon the British administration in India is that it provides lots of sinecures for certain classes of people in the country, while a very large number of people in this country are suffering from misery, want and destitution. I think, Mr. President, it is necessary for this House to keep in mind the very important fact that the British administration in India cannot be popular and cannot command the respect and admiration of the people of this country so long as a very large number of people of this country continue to get Rs. 3 or Rs. 7 per month from which it is absolutely impossible for them to maintain themselves and their families, while officers of the Government are fed with high salaries. Commissionerships were created a very long time ago when facilities for administration, and when facilities for communication were not so ample as they happen to be today. In these days when excellent means of communication exist, such as telegraphs, post offices and railways, commissioners are not as necessary as they were before, and I do not think that Government has made out a sufficiently strong case for their retention. I submit, Sir, that commissioners constitute nothing more than a spare wheel—and a very costly wheel—in the already costly and cumbersome administration of the country. I cannot see how the Government can ask us, the representatives of the people, to give more money for education and for other things, telling us that the budget cannot be straightened unless we impose taxes on motors and entertainments and further saddle the country by increasing the court fees and stamp fees, when it is continuing to retain these costly commissioners and does not want to make retrenchment and reduction where the possibility of making it does exist. The Economy Committee, as all members of this House are aware, have unanimously, I understand, recommended the abolition of half the posts of commissioners, but the Government have not been able to make a definite pronouncement as to their attitude with regard to this recommendation of the Economy committee. Mr. President, the Hon'ble Minister of Industries said that this hit of the honourable member for Pilibhit against the salary of the staff does not go towards making any reduction in the number of commissionerships, I want to say, Sir, that the very statement of the Hon'ble Minister that if the staff is removed, the commissioners will continue, shows that commissionerships are nothing more than sinecures. The commissioners are not very important persons in the mechanism of the Government, since they can continue even if the staff is removed as admitted by the Hon'ble the Minister. Are they supposed to continue without doing any work?

I do not think I need detain this House any further in examining or in scrutinizing this item of the budget, but I have only to say that this continuance of the commissionerships means a lot of misery to those people who are getting small salaries and who cannot have any possibility or prospect of getting better chances in society because they have no money : the Government have no money to feed them and to feed the poor people. I, therefore, associate myself wholeheartedly and unreservedly with the remarks of my honourable friend and colleague from Pilibhit and wholeheartedly support his motion for reduction of Rs. 3 lakhs and odd.

The Hon'ble the President: Does any member of the Government wish to speak?

The Hon'ble Mr. S. P. O'Donnell: As regards the motion for a reduction of Re. 1 only I wish to say that I shall not oppose it. That is not because I admit the desirability of reduction or abolition. I must expressly guard myself against any such interpretation. That is a matter upon which for the reasons which I have already explained I am unable to express any opinion. As I have told the Council, I am not in a position to discuss the arguments for or against the retention, abolition or reduction of Commissioners, but precisely because that is my position I shall not oppose the motion for a reduction of Re. 1.

The Hon'ble the President: The original motion was that the demand under 22-D "Commissioner's staff" be reduced by Rs. 3,42,562. That is the total vote.

Rai Bahadur Lala Sita Ram: May I know one thing, Sir? If that motion is carried, what will become of my motion about the reduction of Rs. 1,500? It relates to a specific item.

The Hon'ble the President: The honourable member's motion cannot then be moved. If the motion for the rejection of the total vote is carried, then of course his motion falls to the ground.

The Hon'ble Mr. S. P. O'Donnell: May I explain one point. As regards this next item of Rs. 1,500 we propose in any case to effect that economy ourselves.

Mr. Mukandi Lal: How will it affect motion 26 which is for a reduction of Rs. 100? That is the only motion which would give us an opportunity of dealing with the whole question.

The Hon'ble the President: That is a general motion on the whole vote. It does not relate to any sub-head under head 22. The original motion was that under head 22-D—"Commissioners' staff" a reduction of Rs. 3,42,562 be made. Subsequently an amendment was moved that the reduction be only Rs. 10,000 instead of Rs. 3,42,562.

Pandit Brijnandan Prasad Misra: The subsequent amendments to my motion seem to be in the nature of a negative vote.

The Hon'ble the President: They are not a negative vote. They are in fact supporting in great part the honourable member's views.

The Hon'ble the President: A third amendment was then put forward to reduce the grant, not by Re. 3,42,562, but by Re. 1 only. I will take the last amendment first and put that to the Council, i.e. that one rupee be substituted for Rs. 3,42,562.

The amendment was put and negatived.

The Hon'ble the President: The second amendment is for substituting Rs. 10,000 for Rs. 3,42,562.

The amendment was put and adopted.

The Hon'ble the President: The motion now before the Council is that the demand under 22-D—"Commissioners' staff" be reduced by Rs. 10,000.

Mr. S. P. O'Donnell: As regards this motion I have to oppose it for this reason. I did not oppose the motion that the amount be reduced by one rupee, but I have to oppose this motion that it be reduced by Rs. 10,000 simply because that is a very substantial reduction. It is

[Mr. S. P. O'Donnell.]

of course a very much more reasonable amendment than the motion to reduce the grant by 3 lakhs and 42 thousand which the Council has, I understand, rejected. At the same time this motion will mean a reduction of the staff attached to commissioners while the number of commissioners remains the same. There is no reason to suppose that the existing establishment is larger than it ought to be. No one has suggested that there are any reductions that can be made on the merits, and, therefore, so long as we have the present number of commissioners the staff for which we have budgeted is required. For that reason I have to oppose the motion that the grant be reduced by Rs. 10,000.

The Hon ble the President : Before I put this question, if there is to be a division I would ask honourable members to conduct the division quietly. The clerks have represented to me—I am sure you will agree that the clerks conduct divisions very quietly and obligingly and to the satisfaction of all the members—they represented to me yesterday that there is a great deal of difficulty in the distribution and collection of the voting papers because honourable members themselves collect papers here and there and the clerks do not know where papers have been collected and where not. The clerks of the Council had better be left to collect the papers without any interference. We have no division lobbies, this hall is very ill-adapted, as everyone knows, for the work in which we are engaged, but it would make things easier for the clerks if we can make it as adaptable as may be, by sitting quietly and letting the clerks distribute and collect the papers in the course of a division. I do not know whether there will be a division, but if there is a division I would ask honourable members to bear in mind this representation made by the clerks.

The question was put and the Council divided as below :—

Ayes (56).

Raja Bahadur Brij Narayan Rai.

Mr. H. C. Desanges.

Babu Narayan Prasad Arora.

Babu Mohan Lal Saksena.

Babu Damodar Das.

Thakur Moti Singh.

Rai Bahadur Lala Sita Ram.

Babu Bhagwati Sahai Bedar.

Thakur Manjit Singh Rathor.

Rai Jagdish Prasad Sahib.

Chaudhri Sheoraj Singh.

Pandit Nanak Chand.

Thakur Rajkumar Singh.

Rai Amba Prasad Sahib.

Raja Suryopal Singh.

Chaudhri Badan Singh.

Chaudhri Sardar Singh.

Thakur Sadho Singh.

Pandit Brijnandan Prasad Misra.

Pandit Bhagwat Narayan Bhargava.

Thakur Keshava Chandra Singh Chaudhri.

Lieut. Raja Durga Narayan Singh.

Lieut. Raja Hukm Tej Pratap Singh.

Pandit Sri Krishna Dutt Paliwal.

Babu Parsidh Narayan Anad.

Pandit Yajna Narayan Upadhyay.

Raja Sri Krishna Datt Dube.

Thakur Hanuman Singh.

Raja Indrajit Pratap Bahadur Sahi.

Pandit Baijnath Misra.

Pandit Govind Ballabh Pant.

Pandit Hargovind Pant.

Mr. Mukandi Lal.

Raja Shankar Sahai.

Kunwar Rajendra Singh.

Rai Bahadur Thakur Mashal Singh.

Kunwar Surendra Pratap Sahi.

Mr. Muhammad Aslam Saifi.

Maulvi Zahur-ud-din.

Lieut. Nawab Jamshed Ali Khan.

Khan Bahadur Kunwar Inayat Ali Khan.

Khan Bahadur Chaudhri Amir Hasan Khan.

Maulvi Obaid-ul-Rahman Khan.

Mr. Masud-uz-Zaman.

Nawabzada Muhammad Yusuf.

Dr. Shafa'at Ahmad Khan.

Saiyid Muhammad Ashiq Husain.

Mr. Ashiq Husain Mirza.

Khan Sahib Munshi Siddiq Ahmad.

Qazi Habib Ashraf.

Khan Bahadur Chaudhri Muhammad

Rashid-ud-din Ashraf.

Lala Mathura Prasad Mehrotra.

Raja Shambhu Dayal.

Thakur Jagannath Bakhsh Singh.

Rai Bahadur Babu Vikramajit Singh.

Dr. Ganesh Prasad.

Noes (27).

The Hon'ble Mr. S. P. O'Donnell.
 The Hon'ble Raja Sir Muhammad Ali
 Muhammad Khan, Khan Bahadur.
 The Hon'ble Lieut. Nawab Muhammad
 Ahmad Sa'id Khan.
 The Hon'ble Rai Rajeshwar Bali.
 Mr. G. B. Lambert.
 Mr. E. A. H. Blunt.
 Kunwar Jagdish Prasad.
 Mr. G. B. F. Muir.
 Mr. A. C. Verrières.
 Mr. C. E. D. Peters.
 Mr. J. R. W. Bennett.
 Mr. S. H. Fremantle.
 Mr. R. Burn.

Mr. A. B. Reid.
 Mr. A. G. P. Pullan.
 Mr. H. G. Billson.
 Mr. A. D. Ashdown.
 Lieut.-Colonel R. F. Baird.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.
 Raja Muhammad E'jaz Rasul Khan.
 Mr. H. David.
 Babu Khem Chand.
 Rai Bahadur Pandit Kharagjit Misra.
 Rai Bahadur Pandit Balbhadra Prasad
 Tiwari.
 Babu Bindeshwari Prasad.
 Khan Bahadur Maulvi Fasih-ud-din.

The motion was accordingly adopted.

Rai Bahadur Thakur Mashal Singh : My motion, Sir, is that the amount of Rs. 18,23,231 under "22—General Administration, Detailed Account; 22-G—District Administration, A General Establishment—Clerks" be reduced by Rs. 10,000. On page 43 under establishment . . .

Rai Bahadur Lala Sita Ram : A point of order, Sir. Before you come to clerks there is my motion No. 24 which relates to salaries under district administration.

The Hon'ble the President : That is not stated. However will the honourable member move No. 24.

Rai Bahadur Lala Sita Ram : I beg to move, Sir, that the demand under "22-E—District Administration" be reduced by Rs. 5,000.

The Hon'ble the President : This is in connection with the votable items of salaries ?

Rai Bahadur Lala Sita Ram : Yes, Sir. I will at once explain the object of my motion. There used to be provision for rewards for oriental languages, but that item was taken away from that head and transferred to this head. I did not find it specifically in the budget, but I am thankful to the courtesy of Mr. Blunt for having told me that it has been hidden in the item for salaries. I think that a reward for oriental languages is an anachronism in these days. If officers are here it is to their advantage and to the advantage of the administration that they should know the language of the country. If they want to be scholars in certain languages they get certain reputation for it and they derive the advantage of having that knowledge. I do not see why there should be these artificial stimulants in the way of rewards of this character.

Pandit Brijnandan Prasad Misra : I also support the motion of the honourable member for South Meerut. I would not like to take much time of the Council, and would only say that the whole sum can very properly be eliminated, for rewards should not be given to the officers as it is in their own interest that they must know the language. In spite of the fact that the officers get rewards, we find in the Council that the Government members do not know the language well enough to speak it when they are asked to address the House in the vernacular. Therefore the rewards to such officers are absolutely absurd. With these words I support the motion.

The Hon'ble Mr. S. P. O'Donnell : I rather think that the honourable mover has misunderstood the provision. The rewards are for proficiency, not in the ordinary vernaculars, but in classical languages. I think it will be agreed that it is desirable that officers should study these languages. But at the same time I cannot say that it is imperative, that it is essential, that they should receive these rewards, and therefore, although this is a very old provision, still I am prepared to accept this motion for reduction.

The motion was put and adopted.

Rai Bahadur Thakur Mashal Singh : I move that the amount of Rs. 18,38,281 under "22—General Administration—(a) General Establishment (clerks)" be reduced by Rs. 10,000.

The object of my motion is that with the amendment of the Criminal Procedure Code, the appeals which were heard by the District Magistrate have now been transferred to the District Judge, so that the work of judicial ahlmad has been decreased. There are very few cases of criminal appeals which will be heard by District Magistrates and consequently there is no necessity for a judicial ahlmad in his court. This amount of Rs. 10,000 can be reduced.

Mr. E. A. H. Blunt : This is a new bombshell to fling at the Government. It is very difficult to say whether a reduction of Rs. 10,000 can be made or whether these ahlmads are really not wanted. In fact it is impossible to give any sort of answer. We will, however, take the reduction on the understanding that if we find that the honourable member is wrong and that we must have the clerks we will come back with a supplementary estimate.

The motion was put and adopted.

Rai Bahadur Thakur Mashal Singh : I move that the demand of Rs. 11,322 under "22—General Administration.—Detailed Account No. 22-E—District Administration.—Liveries and Clothing" be reduced by Rs. 3,322." There is a provision of Rs. 11,322 against liveries and clothing under this head for next year. There was a provision of Rs. 7,492 for the current year, and the revised estimate amounts to Rs. 8,000. I find there is room for economy under this head and so I propose this reduction.

Mr. E. A. H. Blunt : This provision for liveries and clothing is one which varies a good deal from year to year due to the fact that clothing and liveries are not replaced every year. They are replaced at intervals of two years and they are not replaced in the same district every year. The result is that allotment is liable to vary considerably. However, as the honourable member seems to think it does not very much matter, certainly it will not hurt us very much, if the *chaprasis* go about in rags, Government is prepared to accept the motion.

The motion was put and adopted.

Rai Bahadur Thakur Mashal Singh : I beg to move that the allotment of Rs. 1,37,270 under "22—General Administration (22-E—District Administration. Petty Constructions and Repairs)" be reduced by Rs. 37,270.

If the honourable members will refer to page 44 they will find that the provision under this head for next year is 1,37,270 and the budget estimate for 1923-24 amounted to Rs. 1,32,727. The revised estimate for the current year amounts to one lakh. I have reverted to the figure

of one lakh and excluded this amount of Rs. 37,270 which I think can be reduced very easily.

Mr. E. A. H. Blunt : I would ask the honourable member not to press this motion. The entry for 1923-24 was Rs. 1,32,000 odd and the revised was only a lakh. I would ask him to remember that this is the first year that we have taken over these petty constructions and repairs from the Public Works department, Rs. 1,32,000 represents the figure on which they worked and this one lakh apparently represents the figure on which we hope to work ; so that we are making some saving on the Public Works department figures. We are, however, not at all sure what may happen, and consequently I would ask the honourable member to leave us alone under this head at any rate for another year when we will have something definite to go upon. In the budget year the increase from Rs. 1,32,000 to Rs. 1,37,000 was due entirely to the fact that we have taken over small buildings from the Public Works department and we naturally want a larger sum for repairs. Next year the actuals will be closely examined, and if we really see that reductions are possible we will certainly make them.

The motion was, by leave of the Council, withdrawn.

Rai Bahadur Thakur Mashal Singh : I beg to move that the allotment of Rs. 30,000 " 22-E. General Administration " for improvement of court compounds be reduced by Rs. 4,000.

It is obvious that a reduction of Rs. 4,000 is quite easy to make and I hope the Government will accept it.

Mr. E. A. H. Blunt : This allotment for improving court compounds stands on precisely the same footing as the allotment that we discussed the other day, viz. the allotment for improving civil court compounds. This also is covered by receipts, and if anybody desires to see them they will find that on page 20 of the detailed estimates provision is made for fees for licences for vend of food in court compounds. Just as in that case, we are prepared to accept this reduction ; as I said before, it will only mean a little less cleanliness in the court compounds.

The motion was put and adopted.

Pandit Nanak Chand : I move that the demand under Head 22—" General Administration " be reduced by Re. 1. The object of my moving this motion is to raise a general discussion on certain points to which I wish to draw the attention of Government. The first point is about the District Advisory Committees. After this Council had adopted the resolution for the establishment of District Advisory Committees, I interpellated the Government as to what they had decided on this question. The answer that was given to me in reply to my question the day before yesterday by the Hon'ble the Finance Member intimated that the question was under the consideration of Government. I wish to put a charitable interpretation upon the answer and understand from it that Government has not decided against the recommendation of this Council, and I still hope that they will accept the recommendation of this Council and will give effect to the wishes of this Council and its predecessor.

The second point that I want to draw the attention of Government to is about the large number of deputy collectors. The Economy Committee has drawn the attention of Government to this fact, and I think the Government must be considering that question. One point that I specially want to draw the attention of the Hon'ble Finance Member to

[Pandit Nanak Chand.]

in this connection is about the work of these officers. I have personally come to know that in a number of districts, there are many deputy collectors who have very light work indeed; and it is mostly due to the fact that the present system does not require them to send any quarterly or monthly statement of cases disposed of by them. The honourable High Court of Allahabad requires quarterly statements from the munsifs and subordinate judges as to the number of contested and uncontested cases decided by individual officers. I do not know whether the honourable Board of Revenue also require any similar statement by which they could come to know the amount of work done by individual officers during a certain period. At least no such statement is published in the annual administration report. Those of my friends who have some experience of the criminal and revenue courts will bear me out when I say that the revenue courts are not regular in observing the court hours unlike the civil courts. Sometimes the officers presiding over these courts come to the court very late and when they have got no work they rise pretty early in the afternoon. Sometimes they sit late into the night and cause a good deal of inconvenience to all concerned except themselves, because they regulate their hours of work according to their own convenience; and it works as a great hardship upon those litigants who come from the mufassil to keep waiting till late in the evening and then in many cases to be told that their cases have been postponed or will be taken up next morning. I think the honourable members of the Board of Revenue do not require any statements to show the number of pending cases with their duration. It has come to my knowledge as a practising lawyer that in many revenue cases—and their number is not small—the cases remain on the file for years together, and practically no work is done for a number of hearings. If the honourable Board of Revenue would require a statement of pending cases showing, for example, the number of cases of six months' duration and of one year's duration and so on—it would draw the honourable members' attention to the large number of cases of long duration pending before individual officers and would enable them to set matters right and thus save the delay in the administration of justice.

Another point to which I would like to draw the attention of the Government is about the trial of criminal cases in camp. I admit, Sir, that the Government has done something to relieve this hardship by requiring all new cases to be taken up and heard at headquarters, but as regards pending criminal cases before a sub-divisional magistrate when he goes out in camp, the old system still continues to cause a considerable amount of hardship. Sometimes when the officers are in camp they have to go out for inspection work. They often come very late in the evening and then take up cases. I have recent experience of officers taking up cases 25 or 30 miles away from the headquarters, at places away from big roads, at about 5 in the evening and sitting till about 8 in the night. It causes any amount of hardship on these litigants and witnesses who have to go to these courts in the mufassil. I think if the Hon'ble the Finance Member would inquire into this problem and issue instructions requiring these officers to fix one or two days for their criminal work when they go out in camp when they should specially come to dispose of those cases at headquarters it may save considerable inconvenience to the public. I know in one case where

prosecution witnesses numbering about 12 had to travel from their places for about 70 miles and for some technical difficulty the case could not be taken up, and all these people had to come back without anything being done in the case. This inconvenience would be minimized in a large number of cases if they had been taken up at the headquarters of the district.

There is one more point to which I wish to draw the attention of the Government and it is in connection with the business of this Council. It has been our unpleasant experience in the past that many members ballot for very important resolutions and discussion on the resolutions which find place earlier on the agenda take too much time and the other resolutions are guillotined. If the Hon'ble the Finance Member would pay his attention to this, then I think an extra day or two might be given to finish off the balloted resolutions, if not the unballoted resolutions.

The last point to which I wish to draw the attention of the Hon'ble the Finance Member is about the appointment of honorary assistant collectors and honorary assistant magistrates. The question has been brought again and again before this Council and members have brought to the notice of the Government the undesirable conditions of recruitment prevailing about these honorary officers. The other day it was very aptly described by Khan Bahadur Maulvi Fasih-ud-din Sahib that the class that is generally drawn upon is the class known as Mulakatees. He is an old retired executive officer and I think his knowledge is a guarantee that this is a correct description and bears out the non-official view. I think there ought to be some earnest and serious endeavour made by the Government to put this system on a sound basis and an attempt should be made to find out men of real honesty and integrity in whom the non-official public can place their reliance and confidence. With these remarks I hope that the Hon'ble the Finance Member will be able to give some satisfactory reply.

Khan Bahadur Maulvi Fasih-ud-din: I have a very great respect for my honourable friend the member from Bulandshahr. But I certainly cannot forgive him when he takes up his cudgels against the members of the Provincial Executive Service. It is news to me, Sir, that deputy collectors are light worked. In fact I thought, and every one agreed, whether in the official or in the non-official circles, that the deputy collectors were the most hardworked creatures in the world. The fact that they work from 11 o'clock till late in the evening and that they take files to their houses to write judgments clearly shows that their position is by no means an easy one. I wish I could give a practical demonstration of the hard lot of the deputy collectors to the honourable member if I were allowed to put him in as a deputy collector. I strongly protest against any insinuation against the deputy collectors that they get off very easily.

Pandit Nanak Chand: I took care not to convey to this House that all deputy collectors are light worked. I stated to the effect that in some places deputy collectors are light worked.

Khan Bahadur Maulvi Fasih-ud-din: I submit, Sir, that the Government has already realized the necessity of increasing the cadre of deputy collectors and it has actually increased it in the last few years. Besides the very fact that the number of deputy collectors

[Khan Bahadur Maulvi Fasih-ud-din.]

does not happen to be large enough prevents the Government from introducing the scheme of the separation of judicial and executive functions. The Government wants more deputy collectors both on the revenue and criminal sides in order to put that scheme into effect. I also wish to submit, Sir, that the Government should now make up its mind to throw open the two listed posts of collectors to the deputy collectors. This reform has long been overdue, and I find that in spite of the fact that a resolution was passed to this effect in the last Council (I think the resolution was moved by Pandit Gokaran Nath Misra) and it has not yet been put into effect. Another point that I wish to bring out is that I entirely agree with my honourable friend that the selection of honorary magistrates should be placed on a sounder footing, and I have already expressed my opinion about it. I think as a matter of policy we should all of us in the Council support the cause of deputy collectors, because we claim that we are fit to look after our own affairs and that we are in a position to acquire self-government and Swaraj. We say that we can stand on our own legs, and if that claim is true then we must not run down the members of the Provincial Services off and on. We must use the Provincial Service as the go-cart, rickety though it may be.

Thakur Hanuman Singh: I do not agree with my honourable friend, Pandit Nanak Chand, in what he said about the deputy collectors. They are very hard-worked and at the same time they have to perform multifarious duties on account of which they cannot be very punctual in their attendance in court. Some times they have to go out in the morning and return at 1 o'clock, and after taking their food hasten to the court. In such circumstances how can the honourable member expect punctual attendance in court?

As regards the trial of cases when they are on tour, I have a very great objection to that practice, but on account of heavy work they cannot leave their cases behind to be taken up on their return from tour. They have to do everything in time, and therefore sometimes it is so that they have to do it at the cost of their judicial work. There may be certain deputy collectors who are light worked, but their number is very few and on their account the whole lot should not be condemned.

Dr. Shafa'at Ahmad Khan: I should like to discuss a few questions regarding the admission of Indians into the Secretariat. On this subject honourable members will remember that Pandit Gokaran Nath Misra moved a resolution in 1921.

My first question relates to the number of Secretaries. According to Pandit Gokaran Nath Misra, in 1921, provision was made for three Secretaries only. Later on the number was increased to five, and if you include the post of Legal Remembrancer, it will come to six. Now, in these days of economy and retrenchment it seems to me that the maintenance of the Secretaries at the original strength is, on the face of it, unjustified.

The second question is with regard to Deputy Secretaries. The Hon'ble the Finance Member announced on behalf of the Government last year that there were five posts of Deputy Secretaries, and that one post of Deputy Secretary was to be kept in abeyance. I do not know to what extent that promise of the Government has been redeemed. If we look through the latest Civil List, corrected up to the 1st January, 1924, we find that provision has been made for six Deputy Secretaries. I

admit that one of them is only temporary, and the other is *ex officio*, but still there are four permanent Deputy Secretaries, and I should like to know if any attempt has been made to keep the number of Deputy Secretaries to the lowest possible minimum.

The third question refers to the post of Under Secretary. Generally speaking, it is almost impossible for Indians to become Deputy Secretaries, but it is supposed that they can attain eminence in the Secretariat, if they are appointed Under Secretaries. Last year, the Hon'ble the Finance Member announced in the Council that the question of the re-organization of the Secretariat would be discussed at a meeting of the Finance Committee after March, and I do not know whether it was ever discussed by the committee. However, the general complaint of educated Indians is that by the virtual elimination of Under Secretaries, it has been rendered impossible for them to gain promotion as Deputy Secretaries or Secretaries. I now come to the virtual abolition of Assistant Secretaries. If honourable members will go through the Civil List they will find that there is provision only for one Assistant Secretary. I am not going to defend the ability or competence of the Assistant Secretaries. According to the Hon'ble the Finance Member the work of Assistant Secretaries was not very satisfactory. I think he is quite correct, but still he must not overlook the fact that the post of Assistant Secretary was the only avenue whereby a person could gain promotion in the Secretariat. What other way have you left for Indians to achieve advancement in the Secretariat? I should like to ask if his attention has been drawn to the resolution that was passed by a substantial majority in the Council of State in 1923, whereby it was agreed that Indians should be given many more opportunities of appointments as secretaries in the various departments.

Mr. Mukandi Lal : I see that the two words "constitution" and "obstruction" have been used indiscriminately in the present discussion. If by obstruction is meant that we are not amenable to the smiles and frowns of the Government benches, I admit that we are obstructionists. If by constitution is meant that whatever comes from the Government benches we should accept it without resentment or criticism we are unconstitutionalists. But if constitution means to abide by certain rules, to work within a constitution, then we are as much constitutionalists as anybody else in this House. Therefore it must be clear that we are not a body of obstructionists in this House nor are we unconstitutionalists. Obstruction has no place in our programme in this Council, nor can there ever be effective obstruction so far as demands are concerned, because as you remarked the other day, Sir, any demand can be passed automatically at 5 p.m. in this Council. True, in certain Councils, where we are in a majority we are exercising our constitutional right effectively; but that is not the case here. Here, we are only standing for a principle,—the right of the opposition to refuse supplies when it has no confidence in the Government.

Now, I come to the criticism on General Administration. I think this is the fittest time for the Government benches to be filled and to hear what we have to say against the present administration and its disqualification for carrying on the administration of the country. But, perhaps the Government benches will be filled when a division is called for. Are those 23 seats there only to vote on one side or the other?

[Mr. Mukandi Lal.]

The administration of the country would be carried on very nicely and smoothly if it kept three big letters before it—"P. R. S"—public opinion, response, sympathy. If the Government will listen to the public opinion then there will be no discontent in the country. Everything would go on very smoothly, and that is what we have come here for—to make Government responsible to the people. If the Government will be amenable to public opinion, if it will be responsive to the call of the Indian nation, there will be no need to refuse supplies to it. But we do not find any response from the Government in the administration of our country. Thirdly, I come to the letter "S"—sympathy. If there were sympathy in the administration the affairs in this country would be quite different. I do not make the charge against every administrator. There may be good administrators in the country at present. I know from personal experience there are some and I hope the honourable the Senior Member of the Board of Revenue, Mr. Fremantle, will permit me to mention it that it was owing to his sympathetic treatment that I was able to leave the shores of my country and obtain education in England. If he had been unsympathetic, if he had depended upon the report of the Criminal Investigation department, I would not have been able to obtain the passport to leave the country for education in a foreign country. I will give two more instances. Take the case of my district—Garhwal. As long as there was Mr. Clay, who is now at Cawnpore; as long as there was Mr. Mason, who is now at Bara Banki, in charge of the district, there was peace. But now that a different type of administrator is there, troubles are brewing there. He is already unpopular. Take the case of present elections. Government says that it stands for impartiality. In elections the Government should be impartial. But what has happened in Garhwal. The administrator there decided to favour a candidate. He did everything in his power for his election. He has just sentenced two of the voters to imprisonment, one to two years and the other to three years for alleged assault on the presiding officer.

The Hon'ble the President: I think the honourable member is going beyond the rules of debate.

Mr. Mukandi Lal: What I wanted to say was that it depends on the administrator. If you send a different type of administrator he chastises the people who are not amenable to his orders. Such administrators do not work on the theory on which administration is built. I submit that administration is built on the theory that administrators should think that they are the servants of the people. This is not a new theory, not unknown to the Hindus and Musalmans of India. I would point out that we have got our own theories of administration. According to the Hindu theory of state administration, the Raja is nothing but the servant of the people. According to Shukra Niti what we give to the king as taxes or revenues is his 'watan', which means the wages. Therefore the bounden duty of the administrator is to look to the interests of the people from whom he derives his "watan" i.e. revenue. That is why we stand here and refuse supplies *in toto* because we do not think that the present administration commands our confidence and is discharging its duty in the proper manner, the way in which we should like it to discharge. Therefore I submit that according to the Hindu theory, according to the

Western theory, where administration does not command the confidence of the people, where the administration is not carried on sympathetically, where the administration defies public opinion, there the administration has no right to demand supplies and if it does, we ought *in toto* to refuse such supplies.

Mr. H. C. Desanges : I just rise to make a criticism and to offer a suggestion. I had no intention of speaking on this motion, but I rise now to support the remarks that were made by my friend Pandit Nanak Chand. I agree with him on the whole. The public do suffer inconvenience from the irregular hours kept by deputy magistrates in the district. My honourable friend Khan Bahadur Maulvi Fasih-ud-din has said that deputy magistrates find their seats in courts at about 11 o'clock. If that be so I think their clocks are out by sixty minutes. I suggest to the Government that they should not only pass orders but see that these are carried out and that a definite time be fixed throughout for magistrates to take their seats in courts. If this is done the public will know exactly when they can come to the court and when they can go back to their homes, instead of being kept waiting *indefinitely*.

Raja Shambhu Dayal : spoke in Urdu and criticized the honourable mover's remarks about deputy collectors. He said that the honourable mover should have levelled his attack not against the deputy collectors but against high officers of Government, such as Collectors, Commissioners and so on. As regards honorary magistrates, he remarked that in every service there are men, both fit and unfit, and pointed out that in the Council itself there were many members who did not understand what was going on in the Council at that time.

Rai Bahadur Babu Vikramajit Singh : The remarks of my honourable friend from Bulandshahr have been resented by the two retired executive officers as well as by my friend Raja Shambhu Dayal Sahib. He is also an honorary magistrate. Of course, whenever any remarks are made, it must always be understood that the present company is excepted. I have a great admiration for Khan Bahadur Maulvi Fasih-ud-din. He was an Assistant Settlement Officer in Cawnpore and he is probably thinking of those old days when a deputy magistrate used to put in his full share of work. In those days a district used to have only four deputy magistrates or sub-divisional officers; now the number has more than doubled. A lawyer has got greater opportunities and facilities for seeing when the presiding officer of a court comes, when he leaves his court or how much work he does. He is certainly in a better position to see these things than a member of that service, because after all the deputy magistrate or sub-divisional officer will take his seat in his own court-room. He will not concern himself with other officers, and an officer who himself has been doing a certain amount of work, and coming to court and returning home in time, will always believe or presume that others are also acting in the same way. In this service of Deputy Collectors, I can testify from my own experience, there are several officers who possess first-rate abilities and who are capable of acting as judges and district magistrates, but in the same cadre you will also find several officers who may not be fit to hold even the post of a deputy collector. After all, when they are there they have to put in their full amount of work, and, as has been rightly remarked by the Raja Sahib, there are good officers as well as bad officers in every cadre. The only question is how far the evils could be

[Rai Bahadur Babu Vikramajit Singh.]

minimized by the Government in matters of this nature. So far as the sitting hours are concerned, there is one disparity between the revenue and magisterial officers' time and the time of the civil court officers. While on the civil side the High Court has fixed the time from 10 to 4, on the criminal and revenue side the time is from 11 to 5. In winter the time is rather unsuitable because at 5 o'clock it is almost sunset. Then it has been remarked by one member of this House, who was a deputy collector, that they have sometimes to go out to make inspections and return by 2 o'clock. That could happen only when they are out in camp, but it could not happen when they are at the headquarters and at the headquarters it is always necessary that they should keep to the time. I know from my own experience that the rule of time is generally broken. I do not know whether they keep a register as they keep in the civil courts noting down the time of their arrival and departure. In the civil courts that is a great check, a munsif, as a subordinate judge or a judge of the small cause court and every other officer has to write the time in his own hand as to when he comes to the court and when he goes home. If the same system is introduced for the deputy collectors or magistrates, it would tend to the general convenience. I think it would be much better if they note down their time of arrival and the time when they go back. It would tend to the general convenience of both the litigants and the lawyers. When a presiding officer comes to his court at 12 and begins work at 1 o'clock, it is very inconvenient to the litigants and lawyers. If the Government were to make inquiries into this matter, I think the members of the bar would be in a much better position to assist the Government, because they have to attend the courts and know exactly about the habits and about the method of work of every court as to when the presiding officers come and when they go. In the same way there have been complaints in certain cases where the magistrate has been holding his court out in camp. When a litigant goes there with his lawyer, he finds that his case is postponed. This causes a great loss to the litigant and if such cases are avoided it will tend to the convenience both of the litigants and of the people who have to resort to courts.

Then, Sir, so far as the question of honorary magistrates goes, I have not the slightest doubt that there are some honorary magistrates who do their work with great ability, with great zeal and loyalty and there is nothing to be said against them. In many other cases you will find that honorary magistrates who are selected are not literate: they do not know how to read and write the language of the court and I do not know how they can carry on their work. At the time of the appointment of honorary magistrates some test ought to be made. We further find that there is no age limit in the case of honorary magistrates. An officer who is in the pay of the Government has to retire either at the age of 55 or when extensions are granted at the age of 60, but in the case of honorary magistrates I know of instances where men of 70 in their dotage with one foot in the grave have been appointed honorary magistrates; they cannot perform their work with any efficiency and it is merely a sort of title or *izzat* that is given to them. That, I think, is to be deprecated from the point of view of the public good, because after all it is not merely a question of *izzat*, it is not

merely a question of bestowing a title on them that they are made honorary magistrates; they have got to administer justice. It is not time for them to learn and it is too late in the day that they should be appointed honorary magistrates.

There is one special case which I wish to bring to the notice of this House. We find that in Lalitpur two officers are sometimes kept, a European officer and a deputy collector, but in the hot weather when the European magistrate goes away, only the deputy collector manages the sub-division. In Lalitpur we further find that the munsif has got the powers of a second class magistrate. There is also a tahsildar who exercises the powers of a third class magistrate. Therefore it seems to me unnecessary to have two first class magistrates in one sub-division. That, I think, is a sheer waste of money. If an Indian magistrate can do the work in summer months when the European magistrate has gone away, why cannot he do it all the year round; where is the necessity for keeping for a few months a European magistrate along with an Indian magistrate. I think Government can very easily economize in matters of this nature; it is sheer waste of money.

There is just one remark that I wish to make with reference to the secretariat. I will not dilate on this point. We find that there is only one Indian Secretary in the secretariat or at least in the higher secretariat for several years. I think, Sir, a larger number of Indians could have been profitably employed in the secretariat. The present incumbent, it cannot be considered lags behind any other person in ability or in zeal or in loyalty and in putting the case of the Government with great strength. Consequently I do not see why a larger number of Indians either from the Indian Civil Service or Provincial Civil Service should not be employed. With these few remarks Sir, I leave the matter in the hands of the House.

The Council here adjourned for three-quarters of an hour.

After the adjournment—

The Hon'ble the President: The motion before the Council is the general demand be reduced by Re. 1.

Rai Bahadur Lala Sita Ram: The object of my motion, No. 6, which is on the agenda paper today, was to draw pointedly the attention of Government to the position of Indians and to the recruitment of Indians in the secretariat here. It was last year in the Assembly that the Government of India said in reply to a request for more Indians in the secretariat that if more Indians, more trained Indians and qualified Indians were available—trained in the atmosphere and the sphere of Local Government—if more such Indians were available, they would have no objection to taking them into the Government of India secretariat. It appears therefore that the initial training for Secretaries of the Imperial Government must take place in the secretariat of the Local Government itself. Happily, after the debate of last year on a similar question, I find that in the Finance department there is one Indian as Deputy Secretary in place of Mr. Teyen who has gone to England. That perhaps is a temporary post. He may or may not remain in the secretariat afterwards. But the question is why more Indians should not be taken into the secretariat. Last year the Hon'ble the Finance Member told us that the posts of Deputy Secretaries were not reserved for any class of service or for any special men; that

[Rai Bahadur Lala Sita Ram.]

they would, when making appointments to these posts, take into consideration the claims of all people and all services. I will quote his exact words. He said:—"As time goes on there will be vacancies in these appointments. They are, as I said, not reserved for any service or class of officers and when vacancies occur the claims of all suitable officers will be considered. The Government must of course retain the right to select the most suitable officers." This is the language of the Hon'ble the Finance Member. "But I repeat again," he says, "that when vacancies occur the claims of all officers will be considered. These appointments are not reserved for the Indian Civil Service or any other services." Now, Sir, I may say at once that I have nothing to say against the appointment of Indian Civil Service officers as such to the posts of Deputy Secretary. Having come to know their work at close quarters both in the Settlement Committee, whose secretary was Mr. Lane and in the Economy Committee and Public Works department Committee, whose secretary was Mr. Elliott, I have had occasion to know how thorough-going, how industrious, how systematic these Secretaries who belong to the Indian Civil Service are, and what care they take in preparing the minutes and the various details of papers that are necessary for the transaction of business. But, Sir, it is time now that Indians also were trained in this line. The Government, I think, has no objection on racial grounds at all. They have got the experience of an Indian officer in the secretariat, an officer who is of value both to the non-officials as well as to the Government. Of value, Sir, to non-officials because he does us the honour of coming and sitting among us for hours and hours together and also of value to us for the reason that we can go to him without any previous intimation and talk to him freely and frankly on many things, and take his advice. He is of value to the Government as Government has found on several occasions because on account of his persuasion and coercion several times he secures a good many votes and keeps erring people on the right side. So, Sir, the addition of another Indian to the secretariat will be of value to both the Government and the non-officials. There is just one thing more which I may say. Government had an opportunity when they appointed three officers in the secretariat, namely Messrs. Peters, Bennett and Milner-White. Now, Sir, as these gentlemen are new to the secretariat we have had no occasion to know much about them. For all I know they are very good men and must be as industrious and as thorough-going as other members of the Civil Service are. I have nothing personally against them at all; but my contention is that Government could find one or two men more out of the Indian Civil Service or the Provincial Civil Service who are Indians to come into the secretariat and learn this work in the secretariat. I think the Government has no objection to take Indians--there is no bar to Indians of the Indian Civil Service being taken, even if there be some serious objection to take more Indians of the Provincial Civil Service. I have a great regard for the Indian Civil Service and the Provincial Civil Service also. My only contention is that more men should come and get their training in this line of work which is necessary for our administrative machinery.

The Hon'ble Mr. S. P. O'Donnell: So many points have been touched on during the course of this debate that I must ask honourable

members to pardon me if I confine my remarks to the more important topics to which reference has been made. The honourable member for Bulandshahr referred to the question of district advisory committees. It has always been our practice, and it will continue to be our practice, to give the most careful consideration to any resolution passed by this Council, and that consideration we shall extend to the resolution on district advisory committees. But the members of Government, as the Council is aware, have been overwhelmed with work recently, it has been impossible to take up this question as yet and I do not think it will be possible for us to get down to it until after the budget.

Then, Sir, there is the question of the secretariat. Dr. Shafa'at Ahmad Khan referred to the strength of the secretariat. He seems to be under serious misapprehension. He told us that in 1921 there was provision for only three secretaries. As a matter of fact in that year there were, excluding the Judicial Secretary who was also the Legal Remembrancer, five Secretaries. He also said that we had at present six Deputy Secretaries. We have actually, apart from the Director of Public Instruction who is *ex officio* Deputy Secretary—only four Deputy Secretaries. The fifth post of Deputy Secretary has been kept in abeyance. I explained last year to the Council what our general re-organization scheme was. I pointed out that, allowing for the fact that we had taken over the work of the Secretary to the Board of Revenue, we had the same number of Secretaries as we had before the Reforms. We have now four Deputy Secretaries instead of four Under Secretaries, but that is the only change that we have made, although there has been an immense increase in work. It was recognized when the Reforms were under consideration, or rather I should say when the details of the Reforms were being worked out, that there would have to be an increase in the Secretariat establishments. And immediately after the Reforms every single Provincial Government in India made additions to its secretariat. A large addition was made in the secretariat here. Then in 1922 the question whether any reduction could not be made was examined. In 1923 the present Government took up the matter and we effected economies in the secretariat and in the Board of Revenue which amounted to close on two lakhs of rupees. I do not care with what other Provincial secretariat comparison is made. It will be a comparison from which this province will not suffer.

Then there is the question of the Indian element in the secretariat. I dealt with that question last year and I fear there is not much that I can add to what I said then. The secretariat is the headquarters organization of the Government, it corresponds in the civil administration to the General Staff in the Army. The Secretaries are the advisers of Government, and it is essential that the men best qualified for this particular kind of work should be selected. If the Indian element in the secretariat is not larger, that is entirely the result of the system of recruitment that has been pursued in the past. I am not defending that system. I have always regretted that a more liberal policy was not pursued.

As regards recruitment for the Civil Service. But we have to take the facts as they are. We cannot ignore, we cannot alter the past ; and the present position is that the majority of Indian officers are in the junior grades of the service. During the last three years steps

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have been taken to remedy that defect ; a large number of Indians have recently been recruited to the Indian Civil Service, and the Royal Commission is now considering whether the Indian proportion should not be still further increased. As it increases I have not the least doubt that the number of Indians in the secretariat will increase. In the meantime I cannot admit that we have ignored the claims of senior Indian officers in the service. Two of them are, as a matter of fact, holding appointments in the secretariat—one in the secretariat proper, and one is the Joint Secretary to the Board of Revenue. That is a proportion not below the proportion of appointments held by Europeans, having regard to the number and seniority of the Indian members.

Nor can I admit that we have overlooked the claims of the Provincial Service. It must be remembered that officers of the Provincial Service are not primarily recruited for work of this kind, and it cannot be expected that this service will contain as many officers who have special qualifications for this class of work as the Indian Civil Service. We have not however overlooked, we have not refused to consider the claims of Provincial Service officers ; one of them holds the post of Under Secretary, and to one of the three vacancies that have occurred since I last spoke (a vacancy in the Financial department) I have been very glad to appoint a member of the Provincial Service.

I pass on to the question of deputy collectors of the Provincial Executive Service. During the last 20 years large additions have been made to the strength of that service. To a very large extent these additions have been on account of deputations to the Opium department, to the Income-tax department and to the Court of Wards. With these deputations we are not financially concerned, because the cost does not fall upon the provincial revenues. Apart from these additions, however, there has been a large increase in the staff, and I am not prepared to say that no reduction is possible : it seems to me that some reduction may be practicable. On the other hand I am not prepared to say that reductions can be made. That is a question on which we must reserve our opinion until there has been a detailed inquiry such as was held in 1913. We are quite prepared to undertake that inquiry. We should have been ready to do so at present were it not for the imminence of the separation of the judicial from the executive. As honourable members will see from the report of the Stuart Committee, the separation of the judicial and executive will involve a large increase to the number of officers who would otherwise be required. If after completing an examination into the strength of the cadre of the Provincial Executive Service we came to the decision that a reduction should be made (we cannot of course turn the officers into the streets ; some of them would have to be retired, some would be given notice, and most, if not all, would be given some leave) the position would be that shortly afterwards we would have to re-engage most of them again when we come to separate the executive from the judicial. As soon as we receive orders, as soon as we are in a position to give effect to the separation, we shall concomitantly take up this question of the strength of the Provincial Service also. I may add that I entirely associate myself with the remarks made by Khan Bahadur Maulvi Fasih-ud-din regarding the deputy collectors as a whole. I believe they are a most hard-working and devoted body of Government servants.

Some complaints were made regarding delays in the disposal of cases and regarding the hours during which officers sit in courts. There are as a matter of fact standing orders on these subjects, and it is the duty of the Collector and District Magistrate to see that these orders are observed. For example, fortnightly statements of cases disposed of have to be submitted to the Collector or the District Magistrate; and it is his business to examine these statements. I have, however, taken note of the complaints that have been made, and I will see that whatever action is necessary or desirable is taken.

Then, reference was made to the trial of criminal cases in camp. So long as cases are tried in camp it will be impossible, I fear, to avoid a certain amount of inconvenience to the litigant public. We have issued orders with a view to ensure that this inconvenience shall be reduced to a minimum, but the only complete remedy obviously is the separation of the judicial and the executive.

The honourable member for Bulandshahr referred to the question of days for non-official business in this Council. We have had, of course, owing to the exigencies of the budget, to take up much of the time of the Council. We have not, however, the slightest desire to curtail the allotment for non-official work, and we shall always be glad so far as is possible to meet the wishes of honourable members. We are allotting three days in April for non-official work; I doubt whether the Council—when we come to April—will desire that the session should be any further prolonged.

Lastly, there is the question of honorary magistrates. I did not know that the octogenarians and nonagenarians, to which one honourable member referred, were appointed. I think he said that occasionally honorary magistrates were appointed whose age exceeded 70 years. No such cases have come to my notice recently. I must confess I have not particularly considered the age question. When a recommendation is made and I am told that such and such a gentleman is fit to be appointed an honorary magistrate and that he has got the requisite qualifications, I have assumed that he is not on the verge of the grave. But in future I will see that we get particulars regarding age.

Pandit Nanak Chand : I do not want to press this motion.

The motion was, by leave of the Council, withdrawn.

Babu Bhagwati Sahai Bedar then spoke in Urdu.

Mr. H. David : I have a general complaint to make against the secretariat. I have a grievance against the secretariat, or rather the Government.

Pandit Brijnandan Prasad Misra : Will the honourable member kindly raise his voice so that we may be able to hear him ?

Mr. H. David : I am very grateful to the Hon'ble the President for giving me this opportunity. I have orders to obey, I have a commission from my community to lay before the Council, or rather the Government, and that is this. My community is also ambitious; it has also aspirations, and I hope my Swarajist friends will sympathize with us.

Mr. Mukandi Lal : If you are reasonable.

Mr. H. David : My community, as I informed the Council some days ago, has been very much neglected, and I find it has been very severely neglected in a special matter. I opened the Civil List this morning and I found that no less than 54 pages of the Civil List are taken up by the names of title-holders. Year after year on the 1st January and the 3rd June I open the *Leader* or the *Pioneer* where I find columns after columns filled up with names, thousands of names, closely printed, but I find not a single name of Indian Christians of the provinces appears in that list. My community is also connected with much-applauded objectives—I mean the nation-building departments. Representatives of my community are found very prominently and in very large number in the Education department; they are also found in the Medical department; they are also found in the Sanitary department; they are found in the Industrial department. I find that here and there they figure too in administration, judicial and civil and district. But I regret to find that the Government closes its eyes and never thinks of Indian Christians when the time comes for the dispensation of honours.

Rai Bahadur Babu Vikramajit Singh : What about Rai Bahadur A. C. Mukherji?

Mr. H. David : I shall come to that, Sir. If you open the Civil List you will find that of all the names there is only one name who is a genuine son of these provinces, and he is Mr. Keshavanand. The others do not belong to these provinces at all. And even they do not come up to more than two or three. This, briefly, is the ever-recurring grievance of the community, whenever the time comes for the dispensation of the honours. It may be said that the representatives of the community do not deserve it. I question that statement very strongly. It may be supposed that I am advocating this for myself. My time is almost over, thank God; whatever it is, it will not be long. But I do advocate the cause of my community and I hope that by bringing forward this point before the Council and through the Council before the Government it will bear some fruit. Of course the same old story that it is in the hands of the Government of India may be repeated, but that will not be accepted by the people, for nothing is done in this direction without the Local Government. The initiative in the matter is always in the hands of the Secretariat. I do hope that some attempt will be made in this direction to redress the grievances of the Indian Christian community.

The demand for Rs. 1,05,88,378 under head General Administration was put and adopted.

Demand no. 6.

HEAD 41—CIVIL WORKS—PUBLIC WORKS.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I rise to communicate to the Council the recommendation of His Excellency the Governor that a sum of Rs. 68,19,000 out of a total of Rs. 71,45,900 be provided under head 41—Civil Works—Public Works, and move that the said amount be voted.

[Here the Deputy President took the Chair.]

As the honourable members of this House are aware, this department often has to work in the capacity of an agent for other departments. We carry out the orders of different departments, wherever we

are asked to erect any building. Therefore, the huge amount shown here under this head, to be fair to the department, we are not directly responsible for. If the honourable members will kindly see the detailed estimates, they will find that those departments which are directly in my charge are responsible only for a net amount of Rs. 7,72,200:—Excise Rs. 20,000; Agriculture Rs. 38,000; Industries Rs. 10,000; Public Works department Rs. 1,11,000; Printing Rs. 13,000; and Communications Rs. 5,82,000.

Before I say anything about the budget, I would like to express my sincere regret that, although we have given effect to the recommendations of the Public Works Department Reorganization Committee to some extent, we were unable to give complete effect to the recommendations of that body. I wish to assure the honourable members of this House that nobody can be more disappointed than I am over the delay that has taken place, and I would further like to assure them that we shall try to expedite the matter as far as possible, and perhaps after this session we will be able to take a decision on the recommendations of that Committee. I also would like to say that I have not forgotten that I am a signatory to that report and I know that, if I do forget, some of my friends here—especially those who were my colleagues on that Committee, like my friend Rai Bahadur Sita Ram, who is looking at me in a fascinating way—would certainly not let me forget it. I am sure the honourable members do not expect me to say anything more on this subject as a Member of Government.

Now, I would like to say something about those portions of the recommendations that have been adopted by the department, to some extent. Sir, in view of economy and in deference to the recommendations of the Public Works Reorganization Committee we have reduced our sub-divisions by amalgamating Banda with Hamirpur, the Government House sub-division with Allahabad, Gonda with Bahraich, Partabgarh with Sultanpur, and Ghazipur with Ballia. The temporary sub-divisions and the construction sub-divisions were closed on the 31st of August. The new cart-road sub-division in Almora has been abolished; and it has also been decided to abolish the Sitapur division with effect from the 1st March. We have further abolished the offices of two of our Superintending Engineers of the 3rd and 4th circles. Under the head "Government Architect," I hope the honourable members will be pleased to note that we have made a great saving. In 1922-23 the cost under that head was Rs. 1,05,000; in 1923-24 it came down to Rs. 77,972, and this year we have budgeted for only Rs. 30,006 under that head. I may also mention that it has been a complaint in the House that whenever the pruning knife is applied it is always applied to the low-salaried people. The honourable members will be pleased to note that in this department we have done away with the Government Architect, who was a first class officer with a pay of over Rs. 2,000. Further, we have partly given effect to the recommendation of Public Works Department Reorganization Committee as to the transfer of local roads to local boards. The Meerut board has taken charge of its roads, and also in the case of Bijnor district we have agreed to hand over the roads to the local board.

I would now like to draw the attention of the honourable members of this House to an increase of Rs. 2,66,000 which we have put in under the head "Repairs." It is partly due to monsoon damages

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

and partly to the very bad, almost dangerous, condition of our roads. In this connection I would like to quote a few words from the speech of my distinguished predecessor which he delivered last year, when he presented this demand before the Council. He said: "The roads all around Cawnpore are in abominable condition owing to heavy traffic over 20 miles all around Cawnpore at least. I have also been from Cawnpore to Hamirpur by that road and I can confirm what the Chief Engineer has said about the condition of the roads round about Cawnpore. The same may be said of the road between Etah and Muttra. The Etawah-Cawnpore road is also in a very bad condition. The roads in Agra, too, are in a very bad condition. There is a marked deterioration throughout the province. The roads round about Hathras are in very bad order and the road from Moghal Sarai to Benares is described by the Chief Engineer as being atrocious. Without exaggerating the position, the roads can be described as being from good to fair only in a few places. But owing to the rise in the cost of material as well as in wages, the department is only able to do about two-thirds as much as it did with the same grant three years ago. Last year grants for communications were reduced by two lakhs, and this year the position is much the same. If this goes on much longer, roads will be in such a bad condition that it will be impossible to put them into order again even with double the grant which the department is now receiving." From my personal experience I can also say that the roads at some places are very dangerous. About 20 to 25 per cent. of roads which were classified as being good or fair before the war can now be put as bad. In this connection it will be of interest to note that while, as everybody in this House is aware, the cost of material as well as the wages have risen, our grant for the repairs of the roads has remained almost the same. In 1920-21 it was Rs. 20,60,000, in 1921-22 it was Rs. 22,58,000, in 1922-23 it came down to Rs. 20,63,000, in 1923-24 it was Rs. 21,14,000, and this year we propose to allot a sum of Rs. 23,18,000. If we compare the proposed grant with the grant of last year, there is certainly an increase of about two lakhs, but if we compare it with the grant of 1921-22, there is a very nominal increase. I hope honourable members will not be carried away by the sentiment of economy and will not cut the proposed amount, which will be kept as a reserve with the Chief Engineer to be spent where it is most needed.

I am aware that the whole atmosphere is surcharged with suspicion and prejudice in regard to this department, and the Government is doing its level best to make every possible reform in the department. I know that this is not the only department about which the public is very suspicious; but all the same I entreat the honourable members to be more lenient than usual towards the budget of this department.

Pandit Nanak Chand: I move that the demand under the head "Land Revenue" be reduced by Rs. 38,000. If honourable members will turn to page 10 of the detailed estimates they will find items nos. 2, 3, 12, and 13 as follows:—

	Rs.
2. Constructing tansildar's quarters at Etmadpur ..	12,000
3. Constructing naib-tahsildar's quarters at Bidhuna ..	8,000
12. Constructing tahsildar's quarters at Tanda ..	11,000
13. Constructing naib-tahsildar's quarters at Nanpara ..	,000

The total of these four items comes to 38,000 rupees. I do not wish to discuss the question of the desirability of providing these quarters for tahsildars and naib-tahsildars. There are some quarters which are under construction. I have not touched them. These are the new quarters which are proposed to be built next year. I have moved this motion with a view that in the interests of financial stringency the honourable member of the Board of Revenue may be pleased to consider the postponement, at least for the present, of these quarters being built. The other point that I would like to draw attention to is the amount proposed to be spent over these buildings. I think the Government will be at a loss if such costly buildings are provided, because the rent that they will be entitled to receive from these officers will not bear any reasonable proportion to the investment incurred.

Mr. S. H. Fremantle: The honourable member has attacked this provision for providing tahsildars and naib-tahsildars' quarters at certain tahsils not on the ground that it is unnecessary to provide such quarters but because it is not in the present state of financial stringency desirable to do so at present. Well, I expect he knows, or at any rate many members of this Council know, that many of our tahsils have been established in old forts and other places of that kind in which temporary arrangements for residential quarters were made for tahsildars and naib-tahsildars. These do not last for ever. They have an inconvenient way of tumbling down, leaving the naib-tahsildar without a roof on his head at all. At present in the case of one of these quarters which are proposed to be built, the tahsildar is living in a tent, having nowhere else to live. Similar is the case of the naib-tahsildar at Bidhuna, where the old quarters have tumbled down. We are trying gradually to provide decent quarters for all tahsildars and naib-tahsildars. During the war it was not possible to undertake any of these buildings, and we have leeway to make up. I hope that it will not be considered even in the present state of financial stringency that we are doing too much in putting five of these into the budget. Another point mentioned by the honourable member is the large amount which these quarters are costing. They are built according to the standard plan, and the only difference is in the rates which vary at various places. In some place it is due to carting the materials from some distance and also sometimes skilled labour has to be imported. Therefore the amounts vary. But the quarters are built according to the standard plan. If the honourable member will see the plan or consult any of the tahsildars or naib-tahsildars he will find that the quarters are not really extravagant. I hope that he will not press this motion because it will be very inconvenient if we have to put a stop entirely to our building programme at present. He mentioned that the buildings were extravagant in view of the rents which tahsildars and naib-tahsildars pay. I may inform him that tahsildars and naib-tahsildars pay no rent for them. They are attached to the tahsil and they have a right to free quarters wherever these quarters can be provided by Government. In certain places quarters are not provided, but they are given some allowance for house rent. We are endeavouring to provide quarters gradually, taking first those places where house rent is given.

Rai Bahadur Lala Sita Ram: May I have a ruling on one point? We, non-officials, will be at a great disadvantage in discussing item after item because I know that for whatever items are given here for

[Rai Bahadur Lala Sita Ram.

buildings not in progress there must be some need, otherwise the head of the department would not have brought the matter to the notice of the Government and would not have asked the Finance department to provide for them in the budget. So, if we discuss everything item by item, not being in the know of local affairs, we shall be at a disadvantage. Shall we be in order, Sir, if motions for lump cuts are taken? Then, after making an allowance for this lump deduction, having regard to the present financial stringency, Government can distribute the balance on projects which they consider urgent and essential. I may say in this connection that at page 7 of the detailed estimates it will be found that under "Original works" provision for Rs. 6, 98,746 has been made for "buildings" alone "not commenced." So, if a lump deduction is made, will it not be better for Government as well as non-officials? I put this suggestion forward for the consideration of Government.

The Hon'ble Nawab Muhammad Ahmad Sa'id Khan: Our difficulties in this respect would be that we would not be able to know from what item the honourable member wants to reduce; for instance, if there is a lump reduction of two or three lakhs, we shall not know which items in the opinion of the honourable member are desirable to be retained and which are undesirable. If motions for reductions are moved item by item, the member in charge of the department would be in a position to give reasons why he considers any particular item as necessary. Otherwise this lump deduction system would be jumping in the dark and nobody shall know where he is going. I would therefore like to have it taken item by item.

Thakur Jagannath Bakhsh Singh: I beg to submit that it is Government who knows on what merits the particular items have been selected, and I think Government can best know which of those to reduce. The non-official members are not in a position to know the details of every item. I therefore think that lump reductions would be better from the non-official members' point of view.

The Hon'ble Mr. S. P. O'Donnell: It seems to me that the only motions that can be moved are the motions which are actually tabled here on the list and not motions substituted for those motions.

Rai Bahadur Lala Sita Ram: I may say for the information of the Hon'ble the Finance Member that there are actually motions on this list which are for lump deductions. My suggestion is that we might make lump deductions and leave a certain balance in the hands of the Government from which they can proceed with the projects which they think very necessary. After all, the Finance department must have had before it projects more than they have provided for in the budget. They must have done so on some considerations. The very considerations which prevailed then should prevail afterwards when the Council has voted a certain sum of money. They could then distribute the amount on the heads which they consider necessary. This is only an extension of the system which the Finance department must have carried on when provisions for all these separate projects were made. They must have proceeded on some system. They must have said that they would make a provision for 19 lakhs and not more, and out of that 19 lakhs they would distribute sums over such and such projects. The same system can be continued, i.e. instead of 19 lakhs we have got only 15 lakhs, and that sum

will be distributed on the more necessary projects. I do not see where the difficulty of the Government comes in. On the other hand, the Government would be better off for the matter of that.

The Hon'ble Mr. S. P. O'Donnell: The Government is in a very difficult position. We do not know what items are going to be attacked. There is, for example, an item of two lakhs, and it is suggested that it should be reduced by Rs. 50,000. What answer are we to give? Are we to go through each item in the whole of the grant and say which of them are to be dispensed with? If not, on what principle are we to proceed? If we know the items that are to be attacked, then we can point out the projects which are in fact indispensable or very necessary or very desirable; but if no projects are definitely attacked, our position will be one of great difficulty. The whole discussion will be in the air.

Dr. Ganesh Prasad: I rise to a point of order. Have the Standing Orders been suspended in order that there may be a general discussion on procedure with a view to decide what procedure we should adopt in considering the various motions?

The Deputy President: Although there is much in the suggestion of Rai Bahadur Lala Sita Ram, yet it is, I think, for the Government members to accept it or not. I am of opinion, and I have consulted the Hon'ble the President who is also of the opinion that as a matter of practice the Council proceeds item by item and the question of lump reduction can be considered later on.

Rai Bahadur Thakur Mashal Singh: I shall be the first man to oppose the motion which has been moved by my honourable friend Pandit Nanak Chand, because in all the tahsils or headquarters where there are no quarters for tahsildars, naib-tahsildars or deputy collectors, the zamindars are required to construct houses for them. So I think that I should oppose the motion which has been moved by my honourable friend. Certainly this is my personal experience. When a tahsildar goes to a tahsil and there are no quarters for him to stay, where should he go? He approaches some influential zamindar and some temporary arrangement is made: either a thatched house or something like that is erected temporarily for his accommodation. The necessity is thus quite urgent and I cannot gainsay the honourable member of the Board of Revenue on this point. My friend has moved this motion simply on financial grounds. In these days of financial stringency if these buildings are postponed for a year, I think it will not be very hard because the officers have already been in trouble and put to inconvenience. They had better suffer all this trouble for one year more. After that I think by the return of good times we shall be able to give our assent to the demand which has now been put forward. On this ground I would give my support to the motion which has been moved, and if the honourable member of the Board of Revenue be good enough to meet us half way, I would suggest an amendment that instead of Rs. 38,000 a reduction of Rs. 18,000 be made.

Thakur Hanuman Singh: I rise to support the amendment which has been moved by my honourable friend Thakur Mashal Singh. This item of Rs. 38,000 consists of several items. I hope the honourable member of the Board of Revenue will see what buildings are most urgent; they should be taken up in the coming year and the remainder may be postponed for a year or so.

Rai Bahadur Babu Vikramajit Singh: In view of the information received I would like to make a slight amendment in my motion. I desire, Sir, that in place of the word "omitted" the words "reduced by Rs. 50,000" be inserted. The motion ought then to run that the demand of one lakh for constructing a new kotwali at Agra be reduced by Rs. 50,000.

At first when I saw this demand I thought that we could postpone the building of the Kotwali at Agra entirely, but the Inspector-General of Police was kind enough to give me some information about it. He told me that the old Kotwali at Agra has already been sold and a new site has been purchased. So it is necessary to construct a building. If honourable members will turn to page 16 of the detailed estimates they will find that an item—constructing a new kotwali at Agra—has been budgeted for Rs. 3,45,000. That is the sanctioned estimate, and in the year 1923-24 a sum of Rs. 1,30,000 seems to have been spent, probably on the acquisition of the site. They have now budgeted for a lakh of rupees to be spent during the budget year. My proposal is that they should be content this year only with Rs. 50,000 to start their building. It will take a sufficiently long time before they finish it. As it is a bad year, the Government, I hope, will not insist on asking for the entire sum and will be content with Rs. 50,000 for the purpose of starting the construction of this building.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I accept the motion.

The motion was put and adopted.

Pandit Nanak Chand: I move that the demand for item No. 40—Police be omitted. If honourable members will turn to pages 16 and 17 they will find No. 40C—Constructing a new kotwali at Bareilly at a cost of Rs. 2,02,765. Out of it they want to spend one lakh in 1924—25. This is against a new project for building a kotwali. The estimate that has been prepared for the building is, I think, a very high one. I request the Hon'ble the Home Member to get the plan re-examined and see if the cost of the building cannot be reduced by making certain alterations and also with a view to bring the new estimate before the Council next year. I hope the Hon'ble the Home Member will accept this motion and will not press for the demand this year.

Rai Bahadur Babu Vikramajit Singh: I was informed by the Inspector-General of Police that the kotwali building at Bareilly is in a very dilapidated condition, and I have been informed by two honourable members of this House, Kunwar Jamshed Ali Khan and Mr. Muhammad Aslam Saifi, that they have also seen the house and they do not think that the building requires total demolition. The Inspector-General of Police seems to desire to demolish the building and to put up another building. It is a very old and palatial building. The question is whether this building could be repaired and could be made habitable. Of course, I have not seen the building myself and I am not in a position to say anything from first-hand knowledge or information. But judging from these conflicting opinions it appears to me that it is a matter in which the Council should act with caution. That is, if the building could be repaired at some cost, then the old palatial building ought not to be pulled down. Of course, probably it will be said on behalf of Government that they have taken

expert opinion. We are always confronted with expert opinion in these matters. From my own personal knowledge expert opinions differ and they are not always to be accepted in many matters. So that there is a case in which a lakh of rupees is involved and the opinions of the eye-witnesses seem to be conflicting. I think it is a matter of common sense to see whether the building will stand or go down. It is not really a question of engineering skill. As the Public Works department is very well known for favouring the putting up of new buildings and demolishing old ones, we may hesitate before accepting their proposal. We also do not know whether the plan and design of the proposed building has been given by the Consulting Architect or it has been provided by the Engineering department. I think that the Council will be very well advised to postpone this item and let the Finance Committee look into this estimate very carefully and send it up later on if it is again advised to push the matter of demolishing the building and putting up a new one in its place. But if it can be done at a smaller cost, I think that will be better. Considering the general desire of the House for economy and retrenchment, unless the matter is very very urgent, I would support the omission of this item entirely from the budget.

Rai Bahadur Lala Sita Ram : May I inform my honourable friend that such projects and matters are not placed before the Finance Committee.

Rai Bahadur Babu Vikramajit Singh : The greater reason for rejection.

Pandit Brijnandan Prasad Misra : Just from another part of the House a sound seemed to come that proposals do not go before the Finance Committee at all. It is not surprising, but the fact that the proposal was not brought up and discussed before the Finance Committee gives rise to a sort of suspicion.

Rai Bahadur Lala Sita Ram : No estimate is placed before the Finance Committee.

Rai Bahadur Babu Vikramajit Singh : It ought to be.

Pandit Brijnandan Prasad Misra : As regards the kotwali, I myself have been residing in the vicinity of the place and I have seen it a number of times. I may inform the honourable member for Cawnpore that he is perfectly right in saying that the condition of the kotwali is not very dilapidated; it is not falling down, and I would ask the Inspector-General of Police if he could point out any corner there which has fallen down so far. The place is quite durable and it is bound to last long; the only complaint that may be raised against it is that it is an old type of building and may not be to the taste and liking of the kotwal who is residing there. Except for this, there seems to be absolutely no reason for constructing a new building. But if expert opinion goes contrary, I would bow perforce to that opinion, but I have not changed myself in that respect like the Hon'ble Minister who comes from Chhitari, who did not hold in esteem expert opinion in the past, but has changed his views since he entered the Ministerial benches. I would, therefore, like an amendment to be moved that if the Government thinks that it cannot abandon this project for good, it might reduce the sum by Rs. 50,000.

Lieut. Nawab Jamshed Ali Khan : I have got the same sort of motion on the agenda and I stand to support the resolution. I need hardly say that today we stand with a deficit budget in the Council. Saving in our finances is our foremost aim, as economy is the order of the day. I am afraid if there is any pressing need of constructing a new kotwali at Bareilly. I happened to see the standing kotwali myself very recently, undoubtedly it is a splendid and strong building befitting the city and commanding the most central place. I hope the Honble the Home Member will kindly accept this reduction and if construction of the new kotwali is a matter of vital importance, which I don't think is, it should at least be postponed this year and should wait and see the next budget.

Mr. H. C. Desanges : I stand up here to differ with my friends on these benches. I am not holding a brief for Government nor for the kotwal. But I have been in Bareilly for years and the feeling is that they certainly need a new building for the kotwali. The town improvement scheme that was started at Bareilly a few years back strongly suggested that the present kotwali ought to be knocked down and a new building put up. I know for the last four or five years there has been agitation and talk that that building should come down. I certainly agree with my friend Pandit Nanak Chand that two lakhs is probably a very large estimate. If the Government would reconsider the estimate and bring it down to a smaller figure it would probably meet the wishes of everybody in this House. That they want a newer and better building in place of the existing ramshackle building there can be no doubt.

Mr. Ashiq Husain Mirza : I rise to say something about the Bareilly kotwali, not in the interest of the kotwali itself or the police in general, but in the interest of truth. I am afraid, Sir, that some of my friends who have recently visited the kotwali had a distorted vision. Probably their idea of a sound and strong building is white-washing. So far as white-washing goes, I believe the building is very sound. My honourable friend from Meerut, Nawab Jamshed Ali Khan, has said that it is a splendid and strong building : I am afraid he has not been able to test the roofs with his weight, and I am sure if he had done so there would have been another story.

Sir, I have seen the building, and I have been over it with the Executive Engineer of the Public Works department. I have seen every nook and corner of the building and I know something of engineering; at least I have built a great number of buildings, and so far as my judgment goes I do not think the building is going to last this rains if we have a heavy rainfall. The building is certainly costing very much more money than it would have cost in ordinary circumstances. But the case of the Bareilly kotwali is quite a different one. It has got about 30 or 40 shops underneath which do not belong to Government. The roofs do, but the shops do not. The shops are owned by somebody else. Each shop is rented from Rs. 25 to Rs. 30 per month which the Government will have to acquire. Bareilly kotwali stands in one of the best parts of the city, and if money is spent and the shops are built I am almost certain that it would prove a good investment. But I would certainly urge the Police department either to remove the police or the kotwali, otherwise I am afraid there will be a tragedy enacted in the near future.

Raja Shambhu Dayal spoke in Urdu in support of the motion.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I am sorry I am unable to agree to the reduction of the demand for the construction of the Bareilly kotwali. I had been to that place particularly to visit the kotwali. I examined minutely every detail of the building, and with due deference to my honourable friends Nawab Jamshed Ali Khan and Mr. Muhammad Aslam Saifi, I would like to inform the Council that the whole building is in a dilapidated condition, so much so that it is dangerous to allow any human being to go under the roof of the house. But Nawab Jamshed Ali Khan, I am sorry to say, calls it a splendid and strong building. I am afraid he could not have walked on the roof of the building without serious risk. It is, as a matter of fact, a very old building and utterly unsuitable for the needs of the police force in these days of political strife and stress. I had also examined the question of construction of shops as suggested by Mr. Ashiq Husain Mirza. But to my great disappointment it was not thought fit to construct shops there.

As regards the cost of the new building under discussion, I do not say that no reduction can be made. I do not say that every item suggested by the Public Works department is a God-sent thing, and no alteration can be made in it. At the same time, I would request this House to consider the question from a practical point of view. I am not insisting to secure the whole amount. But what I request the Council is to allow us to begin with the reconstruction of the building.

I am willing to forego my demand by half at present in case a beginning is made in order to provide a shelter to the police force. I may add in this connection that I examined on the spot whether there was any possibility of our getting a suitable private house to accommodate the police force temporarily. There was no house available adjacent to this old site.

Rai Bahadur Babu Vikramajit Singh : Not even the Lunatic Asylum ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : That may be suitable for the police force, but I do not know whether it would be worth our while to consider whether the police force should be located in the Lunatic Asylum, a long way off from the heart of the city. I would, therefore, request this Council to allow us at present to proceed with the construction of the building by accepting half of the original demand.

Rai Bahadur Lala Sita Ram : There are apparently some mysteries about the kotwali of Bareilly. Else, men like my honourable friends Nawab Jamshed Ali Khan and Mr. Ashiq Husain Mirza would not have voluntarily gone to the place and paid a visit. Experts apparently differ—both officials and non-officials. But the Hon'ble the Home Member has given us some ground for compromise, and I therefore formally move an amendment to this motion that it may be reduced to Rs. 50,000.

The Deputy President : What is your amendment ?

Rai Bahadur Lala Sita Ram : My amendment is that for the words "be omitted" the following words be substituted "be reduced by Rs. 50,000."

There is another thing which I may say. I do not think that the kotwali, even if it is necessary—I conclude from the Home Member's speech it is necessary, because our police force must be properly housed and properly sheltered—should be built at such a cost of two lakhs. I

[Rai Bahadur Lala Sita Rhm.]

do not know whether it should be a thing of beauty, like perhaps the Hazratganj police station here. But as it is not in Lucknow, but only in Bareilly, we need not go in for a beautiful piece of architecture. And if any reduction could be made in that amount I hope the Hon'ble the Home Member will kindly look into the matter.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I promise to examine the whole thing.

Pandit Nanak Chand: I personally was not very well convinced of the necessity of having a new kotwali at Bareilly on account of the divergent views expressed by the honourable members of this House who have visited the place. But in view of the assurance of the Hon'ble the Home Member that the building is urgently wanted and that he will reconsider the estimates and see that every possible economy is made, I have no hesitation in accepting the amendment, and I hope that the Hon'ble the Home Member will give effect to the assurance that he has given to the House.

The amendment of Rai Bahadur Lala Sita Ram reducing the demand by Rs. 50,000 was put and adopted.

Pandit Nanak Chand: I move that the demand for item No. 49 be omitted. If the honourable members will kindly turn to pages 16 and 17 of the detailed estimates they will find that it is proposed to construct new Police Lines at Azamgarh at a cost of Rs. 2,32,753 for which the Government propose to spend Rs. 50,000 next year. In connection with this project I wish to say that the amount which it is proposed to spend over this building is disproportionately large. I would request the Hon'ble the Home Member to withdraw this item from this year's estimates and get it re-examined and, if necessary, he can bring it forward next year. I was informed by the Inspector-General of Police that the present Police Lines at Azamgarh are *kachcha* buildings. He was also pleased to inform me that during the last year a considerable amount was spent over its repairs. If those repairs were properly made, I think the buildings ought to stand for some time to come; and it appears that this item is not very urgent. I therefore hope the Hon'ble the Home Member will kindly withdraw the item this year.

Mr. A. D. Ashdown [During this speech the Hon'ble the President resumed the Chair.]: It is more than five years since I myself saw the Azamgarh Police Lines. At that time they were not satisfactory. The barracks were completely *kachcha*, so far as I recollect. As regards the cost, to which the honourable Pandit has referred, I may say that I am not an expert in that line and so can pass no opinion on it. I asked the Deputy Inspector-General of Police of the Range to let me know the exact state of the building. He reports that he did not make a thorough examination, because he thought the construction of new lines had already been sanctioned. In the ordinary course of his inspection he examined the various buildings and he says that several barracks and the store-room are in a dangerous condition. The beams have actually broken and are at present being supported by props. He says that personally, as regards the store-room, he would not like to stay in it any considerable time. He also says that he understood that in the rains the men had the greatest difficulty in finding any place under

which they could take shelter. This state of the Azamgarh Police Lines has been going on for some years, and in 1921-22 we spent a sum of Rs. 4,481 merely to keep them standing and in 1922-23 we spent a sum of Rs. 5,640, that is to say, in two years we have spent more than Rs. 10,000. During the current year, in the hope that the Council will be pleased to give us money to start the construction of the lines before the rains break, we have so far only expended Rs. 1,220. Therefore the total amount which we have spent merely to prop up these *kachcha* lines is Rs. 11,341. Now, it seems to me that, in view of what the Deputy Inspector-General of Police says in his report (if we cannot commence the construction of the buildings), we shall have to ask for more money for their maintenance and we shall therefore have to spend four or five thousand rupees to prop up these barracks before the next monsoon. I very much regret that I have not personally seen these lines, as I have seen the Bareilly kotwali, and so am not in a position to give my personal views in the matter. I would, however, like to say that it is undoubtedly in the knowledge of the Council that over many parts of these provinces the police are housed in what has been described as hovels, and we know, of course, that it is impossible to remedy this state of affairs even within a decade. As a matter of fact, I tried to find out the other day what it would cost us to carry out all our projects in the province, which were either of immediate urgency, moderate urgency or merely necessary, and discovered that not less than a sum of ninety lakhs would be needed. Now, this year the Council having already cut down a lakh, we have been allotted a sum of four lakhs only for the purpose. Well, at this rate of progress, not providing for any unforeseen events, it would take about twenty-five years to house our police in a manner which can barely be called respectable. As I said before, it must be in the knowledge of this House that some of the police are housed in hovels, which no honourable member in this House would probably tolerate to keep his cattle in. Besides, if any of these *kachcha* buildings collapses, there is no doubt that such of the policemen as may be injured will file civil suits for damages, and the Government will have to grant gratuity or compensation to them. The principle followed by my predecessor and myself in making demands this year for projects of new construction was only to include those that were in immediate danger of collapsing. I wish, however, to assure the Council that only those projects which require immediate attention have been proposed to be taken in hand this year. I have no doubt that my honourable friend the Chief Engineer will do his best to build as many barracks as he can before the rains break. In the circumstances, I hope the honourable member from Bulandshahr will withdraw his motion.

Pandit Nanak Chand : In view of the circumstances stated by the honourable the Inspector-General of Police, I beg to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

Pandit Nanak Chand : I move that the demand for item No. 63—Agriculture be omitted. If honourable members will turn to pages 20 and 21 they will find that under item No. 63 it is proposed to provide a residence for the Deputy Director of Agriculture, Rohilkhand, at a cost of Rs. 32,861. It is a new building which is proposed to be put up, and I consider that, in view of financial stringency, the construction of this building may be put off till next year.

Mr. Ashiq Husain Mirza : My object is the same. The building is a new one, and I protest that the construction of it may be postponed for a later date.

Mr. G. Clarke : There are two points in connection with this grant which I think will carry weight with the honourable mover. The first is that this expenditure is productive. The rent recovered from the officer who will occupy this house will yield a good interest on the capital involved. The second point is that the difference between receipts and expenditure of the Shahjahanpur farm since it was opened is equal to the amount asked for. So that this is really a productive investment of money already earned. I should like to give a brief account of the organization of the agricultural circle at Shahjahanpur and in Rohilkhand, and I hope it will convince the honourable mover that the residence is both necessary and justifiable. The Shahjahanpur farm, as honourable members know, was opened some years ago to work out definite problems on which the development of Rohilkhand could be based. This has now been done and we have reached a point at which organized effort in the villages is necessary if we are to get the full benefit of our discoveries. The Shahjahanpur farm will be the centre of the agricultural work of six important sub-montane districts, namely, Shahjahanpur, Bareilly, Bijnor, Budaun, Moradabad, and Pilibhit. The work at Shahjahanpur has hitherto been controlled from Cawnpore—a thoroughly unsatisfactory arrangement involving a good deal of recurring expenditure in travelling allowance, as I know by many years' personal experience imposing a severe strain on the staff employed, which must in the long run impair their efficiency besides wasting a lot of their time. I have no hesitation in saying that the outturn of Rohilkhand can be doubled if the Shahjahanpur agricultural work is properly organized, and I think honourable members will agree with me that the work cannot be considered to be properly organized unless the officer in charge of it is provided with proper accommodation and at a place where he can live under healthy conditions and supervise his work properly. I would remind the honourable mover that it is not true economy to employ highly-paid experts and to impose upon them conditions which render it impossible to get the full advantage of their services. This is a fact which is recognized by business men and commercial firms all the world over. They know perfectly well that unless they look to the physical welfare of their technical servants they will not get the best service and the full value of their money. It has been asked why a house cannot be obtained in Shahjahanpur. A house cannot be got for love or money in the civil station of Shahjahanpur, and if it could it would not solve the problem. The Shahjahanpur farm is four miles from the civil station of Shahjahanpur. The circumstances of the Agricultural department are exceptional as regards the necessity for bungalows and residences for its staff. All agricultural work, farms, seed godowns, and demonstration work must of necessity be at places where land and labour are cheap and where the officer in charge can effectively keep in touch with the cultivator. All of them are at some distance from the civil station where hired bungalows cannot be got. I submit for the consideration of the House that the Agricultural department deserves exceptional treatment in regard to the provision of residences. I hope that, in view of the exceptional circumstances in which the Agricultural department officers work,

and as they have to live away from the civil station, the honourable member will not press his motion.

Pandit Nanak Chand : In view of what has been said by the Director of Agriculture and also in view of the fact that the investment will be commercially a sound one and will advance the interests of agriculture, I do not want to press the motion.

The motion was, by leave of the Council, withdrawn.

Pandit Nanak Chand : I move that the demand for item No. 68—Civil Works be omitted. If the honourable members will please turn to pages 20 and 21, they will find that it is proposed to construct a residence for a District Engineer whose sub-division is at Lucknow at a cost of Rs. 21,728 and the entire amount is proposed to be spent next year. The case of Lucknow is quite different from the case of Shahjahanpur, and I think at Lucknow any number of buildings can be had on hire. I therefore do not see any urgent necessity for this building being put up next year. I hope that the Hon'ble Minister will see his way to withdraw this item.

Mr. A. C. Verrières : My justification for asking for this grant, is nothing more than the fact, that in Lucknow it is next to impossible to obtain houses on suitable rent for District Engineers on low pay. The salaries of District Engineers in these days range in the case of our Provincial Engineers from Rs. 250 to Rs. 750 a month, and in the case of members of the Indian Service Engineers they go as far as Rs. 900. Now, Sir, it is impossible to obtain a house here for less than Rs. 150 a month—I mean a house with suitable accommodation. The rent of such houses is usually as high as Rs. 200. This means that in the case of men drawing Rs. 700, they have to pay practically 20 to 30 per cent. of their pay. That is my only justification. I leave it to the members of this House either to pass or reject the demand.

Khan Bahadur Maulvi Fasih-ud-din : I think I should support the motion of my honourable friend from Bulandshahr. The reason that has been advanced by the honourable the Chief Engineer is to my mind not a very satisfactory one. If we go upon the supposition that because the Engineer is not well-paid he must have a house in Lucknow provided by Government, then I think the members of other services, such as deputy collectors, munsifs, and subordinate judges, should also be provided with houses. For this reason I support the motion.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Our Chief Engineer has given his reasons. These are the only reasons for which this demand has been brought before the Council. I leave it entirely to the members of this House. If they are satisfied with the reasons given by the Chief Engineer, the demand may be left as it is. Otherwise I will have no objection to accepting the reduction.

The motion that the demand for Rs. 21,728 for the construction of a residence for the District Engineer, Lucknow, be omitted was put and adopted.

Lieut. Nawab Jamshed Ali Khan : If the honourable members will look at page 20 of the detailed estimates they will find item No. 69 for the supply of furniture for the District Engineer's residence at Pauri. Under this head it is proposed that furniture should be supplied to the District Engineer who happens to have been posted at Pauri.

[Lieut. Nawab Jamshed Ali Khan.]

I anticipate the arguments on behalf of the Government will be that it is very difficult to get furniture there and therefore it should be supplied to him. Now, Sir, if the motion is pressed to the logical conclusion, it amounts to this, that wherever there is a Government officer—I mean in a hilly tract—the furniture should be supplied to him by Government, that is to say, in Ranikhet, Almora, and other places in the Kumaun division Government will have to supply furniture to all the police officers, medical officers, and civil officers. I hope the House will not commit itself to this policy and the Hon'ble Minister of Industries will be kind enough to accept this reduction.

Mr. Ashiq Husain Mirza: I move that the demand of Rs. 1,990 for the supply of furniture...

The Hon'ble the President: That has already been moved.

Mr. Ashiq Husain Mirza: Then I support the motion.

Mr. A. C. Verrières: The case of Pauri Garhwal is rather peculiar. The distance of Pauri from the railway head is about 60 miles or more; personal furniture has to be carried on the backs of mules or coolies and it arrives there altogether in a broken condition. The consequence is that the wretched District Engineer, or whoever he may be, has to pay double the amount for his furniture. Well, the suggestion here is that he should be supplied with bare necessities. When he leaves the station he sells his private furniture at a loss; he cannot carry it with him. The bare necessities, therefore, should, I think, be given. Rent will be paid on the cost of the furniture. The amount is very small, and I think that the demand is reasonable. A few years ago there was a similar demand for the Deputy Commissioner, and it was granted. I do not think this House would be doing wrong if they provided the Civil Surgeon or any other official with furniture, because it is very difficult to get furniture up to Pauri at a reasonable cost. Of course, Government will always get rent for it. That is the point. It is a small matter, and I hope the honourable mover will see his way to withdraw his motion.

Rai Bahadur Thakur Mashal Singh: We are short of funds and we cannot afford to purchase furniture and then let it on hire.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I accept the motion.

The motion was put and adopted.

Rai Rahadur Babu Vikramajit Singh: I beg to move that the demand of Rs. 20,580 for constructing a residence for the District Engineer, Cawnpore, be omitted. If the honourable members will look at page 20 they will find this provision having been made for constructing a residence for the District Engineer at Cawnpore. My motion is similar to the one which has just been adopted by the Council in the case of Lucknow. Cawnpore is a big place and houses are available for a reasonable rent in the Cantonments, in the Civil Lines, and in the city, and it will be against principle to provide houses for all Government servants. In fact, if a house is going to be provided for one District Engineer, there is another District Engineer; then there is the Executive Engineer, and there are other officers of the Executive and Judicial Services and I do not know where we can end. I therefore think, Sir,

that it is an unnecessary demand and ought not to be accepted by the Council. I hope that the Government will accept this motion in the interests of economy and also because it is not an essential item.

Mr. A. C. Verrières : My information about the houses in Cawnpore is entirely different to that in the possession of the honourable member from Cawnpore. I am given to understand that neither in Civil Lines nor in Cantonments is there a house of the necessary accommodation available for the District Engineer. At present he is living in a house belonging to the Agricultural department. I should say that both the District Engineers are living in the one house. On the 1st April the house will be handed over to the Agricultural department; they have demanded it. The question now is, where these men should go. Only today I received a telephonic message from the Executive Engineer of Cawnpore to say that no house is available in Cantonments, and I do not know that one is available in Civil Lines. If the honourable mover will tell me which one he means, I may be able to rent it. I have asked for this provision because there is no place to accommodate the men.

Rai Bahadur Babu Vikramajit Singh : I never thought that I will be asked to point out a particular house which at present is available, but from my experience of Cawnpore I can say that there are houses both in the Civil Lines and in the Cantonments that generally fall vacant and could be made available. There are a number of other officers who always require and live in rented houses. The Government has not provided houses for them: it has not provided a house for the Sessions Judge; it has not provided a house for the Additional Sessions Judge; it has not provided a house for the Joint Magistrate; it has not provided houses for deputy collectors and a number of judicial officers. How do they manage to get houses? I think that the explanation given by the honourable the Chief Engineer does not satisfy me that a house is not available. After all, even if the Council were to vote this amount, the house will not be put up in 24 hours. It will take probably two years to build it, and if the Engineer chooses to live with a friend, that is his own business. I think we should not depart from the principle that we are not going to build a house for every person who says that he cannot find a house in large places like Cawnpore.

Mr. A. C. Verrières : The honourable member has not answered my question. He has not told me of the house that is available.

Rai Bahadur Babu Vikramajit Singh : I will be able to let Mr. Verrières know in a day or two.

The motion was put and adopted.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Thursday, the 13th March, 1924.

THE Council met in the Council Chamber, Lucknow, at 11 a.m. The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.	Pandit Brijnandan Prasad Misra.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.	Pandit Bhagwat Narayan Bhargava.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Thakur Keshava Chandra Singh Chaudhri
The Hon'ble Rai Rajeshwar Baii.	Lieut. Raja Durga Narayan Singh.
Mr. G. B. Lambert.	Lieut. Raja Hukm Tej Pratap Singh.
Mr. E. A. H. Blunt.	Rai Bahadur Pandit Balbhadra Prasad Tiwari.
Kunwar Jagdish Prasad.	Pandit Sri Krishna Dutt Paliwal.
Mr. G. B. F. Muir.	Babu Parsidh Narayan Anad.
Mr. A. O. Verrières.	Pandit Yajna Narayan Upadhyay.
Mr. C. E. D. Peters.	Raja Sri Krishna Dutt Dube.
Mr. J. R. W. Bennett.	Thakur Hanuman Singh.
Mr. S. H. Fremantle.	Raja Indrajit Pratap Bahadur Sahi.
Mr. R. Burn.	Pandit Baijnath Misra.
M. A. B. Reid.	Pandit Govind Ballabh Pant.
Mr. A. G. P. Pullan.	Pandit Hargobind Pant.
Mr. H. G. Billson.	Mr. Mukandi Lal.
Mr. A. D. Ashdown.	Babu Ram Chandra Sinha.
Lieut.-Colonel R. F. Baird.	Raja Shankar Sahai.
Mr. A. H. Mackenzie.	Kunwar Rajendra Singh.
Mr. G. Clarke.	Rai Bahadur Thakur Masbal Singh.
Raja Muhammad Ejaz Rasul Khan.	Kunwar Surendra Pratap Sahi.
Raja Bahadur Brij Narayan Rai.	Dr. Muhammad Naim Ansari.
Mr. H. C. Desanges.	Mr. Muhammad Aslam Saifi.
Mr. H. David.	Maulvi Zahur-ud-din.
Babu Khem Chand.	Lieut. Nawab Jamshed Ali Khan.
Babu Narayan Prasad Arora.	Khan Bahadur Kunwar Inayat Ali Khan.
Babu Sangam Lal.	Maulvi Obaid-ul-Rahman Khan.
Babu Mohan Lal Saksena.	Hafiz Hidayat Husain.
Babu Damodar Das.	Mr. Masud-uz-Zaman.
Rai Bahadur Lala Sita Ram.	Nawabzada Muhammad Yusuf.
Babu Bhagwati Sahai Bedar.	Dr. Shafa'at Ahmad Khan.
Thakur Manjit Singh Rathor.	Saiyid Muhammad Ashiq Husain.
Rai Jagdish Prasad Sahib.	Khan Bahadur Maulvi Fasih-ud-din.
Chaudhri Sheoraj Singh.	Mr. Ashiq Husain Mirza.
Pandit Nanak Chand.	Khan Sahib Munshi Siddiq Ahmad.
Lala Babu Lal.	Lieut. Sheikh Shahid Husain.
Thakur Rajkumar Singh.	Khan Bahadur Chaudhri Muhammad Rashid-ud-din Ashraf.
Rai Bahadur Babu Ram Nath Bhargava.	Shaikh Abdus Samad Ansari.
Rai Amba Prasad Sahib.	Lala Mathura Prasad Mehrotra.
Rai Bahadur Pandit Kharagjit Misra.	Raja Shambhu Dayal.
Raja Suryapal Singh.	Lieut. Shaikh Imtiaz Rasul Khan.
Babu Nemi Saran.	Thakur Jagannath Baksh Singh.
Chaudhri Badan Singh.	Rai Bahadur Babu Vikramajit Singh.
Chaudhri Sardar Singh.	Dr. Ganesh Prasad.
Thakur Sadho Singh.	

QUESTIONS AND ANSWERS.

Starred questions.

NAIB-TAHSILDARS.

*1. **Lala Mathura Prasad Mehrotra :** (a) Will the Government be pleased to state the total number of naib-tahsildars waiting for posting?

(b) How many were nominated during 1923 and 1924?

(c) Will the Government be pleased to state the date of the oldest nominated person who is waiting for a post?

The Hon'ble Mr. S. P. O'Donnell : (a) Sixty-seven listed candidates are waiting for appointment.

(b) In 1923 twelve selections were made. In 1924 no selections will be made.

(c) 1921.

Lala Mathura Prasad Mehrotra : Will the Hon'ble the Finance Member state reasons that led Government to make 12 selections in 1923 when so many candidates were already waiting for posting?

The Hon'ble Mr. S. P. O'Donnell : I think it would have been better not to make so many selections in 1923, but the selections were made before we had fully considered the large number of candidates on the list.

KHATTRIS IN CERTAIN SERVICES.

*2. **Lala Mathura Prasad Mehrotra :** (a) How many Khattris are in the Judicial, Executive and Educational Provincial Services at present?

(b) Will the Government be pleased to lay on the table a separate statement of their names, the amount of their pay and the line in which they are serving?

The Hon'ble Mr. S. P. O'Donnell : (a) Nineteen.

(b) A statement is laid on the honourable member's table.

Statement containing the information asked for in part (b) of starred question No. 2 for the 13th March, 1924.

Service.	Name.			Pay.
				Rs.
Provincial Execu- tive. (Deputy Collectors)	Babu Raj Narayan Bramhiwar	..	..	850
	Munshi Anand Sarup..	..	..	660
	Babu Raj Narayan Tandon	..	..	610
	Babu Salig Ram Tandon	..	..	600
	Babu Shambhu Nath ..	..	..	600
	Babu Sheo Chand Kapur	..	..	570
	Babu Prem Chand Seth	..	..	570
	Babu Balram Kishore Tandon	..	..	390
	Babu Bishan Narayan Singh	..	..	390
	Babu Ram Narayan ..	..	..	450

Service.	Name.	Pay
Provincial Judicial (Agra.)	Babu Hargobind Bajaj, Subordinate Judge ..	Rs. 780
	Babu Lachmi Narayan Pandey, officiating Subordinate Judge.	680
	Rai Sahib Madan Mohan Seth, munshi ..	480
	Babu Akhli Murari, officiating Subordinate Judge ..	450
	Babu Kedar Nath Mehra, munshi ..	390
Provincial Judicial (Oudh).	Babu Shankar Prasad Khatri, Judge, Small Cause Court.	1,000
	Babu Sheo Charan, munshi ..	390
Provincial Educa- tional.	Babu Chuanil Lal Sakni, Vice-Principal, Government Intermediate College, Jhansi.	325
	Babu Sri Kishan, Assistant Inspector of Schools, Gorakhpur division.	325

ORDERS OF BOARD OF REVENUE AS TO COMMENCEMENT OF PATTAS.

*3. **Lala Mathura Prasad Mehrotra:** (a) Is it a fact that the patwaris have been instructed by the Board of Revenue to count the term for the *pattas* of tenants from the date of the passage of the Oudh Amendment Act and not from the completion of the period of their previous *pattas*?

(b) If it is so, under what section of the Act have the orders been issued?

The Hon'ble Mr. S. P. O'Donnell: Reply will be given at a later date.

ASSIGNMENT FROM GOVERNMENT OF INDIA FROM SALE-PROCEEDS OF STAMPS.

*4. **Lala Mathura Prasad Mehrotra:** (a) Will the Government be pleased to state the amount which is received from the Central Government as sale-proceeds of stamps?

(b) For how long has the amount been received without any alteration?

(c) Has the Government been asked to suggest alterations in the amount?

The Hon'ble Mr. S. P. O'Donnell: (a) The honourable member is presumably referring to the use of postage stamps as general stamps. The assignment received on this account is Rs. 1,40,000.

(b) Ever since the postage stamp was adopted for use as a general stamp, i.e. since 1906.

(c) Yes. Government have pressed for an increase of the amount on several occasions and the Central Government have accepted the claim.

JUDGESHIP AT BASTI.

*5. **Maulvi Abdul Hakim:** Will the Government be pleased to give the number of appeals-civil, criminal and revenue and miscellaneous cases of Basti district—filed in the court of the District Judge at Gorakhpur during the last three years?

*6. Will the Government be pleased to say when at the latest the construction of the necessary buildings for a separate judgship at Basti will be commenced?

*7. Is it a fact that the work of Basti district alone is sufficient to occupy the whole time of the Additional Judge at Gorakhpur?

*8. Will the Government be pleased to order that, pending the completion of the necessary buildings, the Additional Judge of Gorakhpur do hold his court at Basti?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Answers will be given later.

MUSALMAN WAQF ACT.

*9. **Dr. Shafa'at Ahmad Khan :** (1) What action has the Government taken, or does it intend to take, on the resolution of the Council on 27th February, 1924, with regard to bringing the Musalman Waqf Act, 1923, into operation in these provinces?

(2) When will the Government announce the enforcement of the Act in the *United Provinces Gazette*?

(3) If the answer is in the negative, will the Government be pleased to state the reasons for its refusal to act on the recommendations of the Legislative Council?

(4) If the answer is in the affirmative, will the Government be pleased to state whether it is proposed to frame rules with regard to certain sections of the Act?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The matter is under the consideration of Government.

Hafiz Hidayat Husain : May I ask how long it will take the Government to consider the question.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Not very long.

*10. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to publish a complete list of all the *waqfs* in the United Provinces in the *United Provinces Government Gazette*?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : This is a point which will be considered in connection with the resolution of the Council of the 27th February, 1924.

RULES RELATING TO OCTROI REFUNDS BY MUNICIPALITIES ON HOLIDAYS.

*11. **Rai Bahadur Lala Sita Ram :** Will the Government be pleased to state what are the standing rules or orders of Government with regard to the entertainment of applications for octroi refunds by municipal boards on Sundays and gazetted holidays? Is it a fact that it is not open to municipal boards to refuse refund applications on Sundays and gazetted holidays?

*12. (1) Will the Government be pleased to state what are the standing rules or orders governing the hours for accepting applications for refund of octroi? Is it true that under the rules municipal boards must entertain applications for refund at all such hours as the head octroi office is open?

(2) Is it a fact that all applications for refund must under the rules be presented at the head octroi office? If so, do Government rules provide that boards may fix hours other than the hours fixed for business at the head octroi office?

The Hon'ble Rai Rajeshwar Bali : An answer will be given at a later date.

RULES GOVERNING THE WORKING HOURS OF HEAD OCTROI OFFICE.

*13. **Rai Bahadur Lala Sita Ram :** Will the Government be pleased to state what are the rules governing the closing or keeping open of head octroi offices by municipal boards on Sundays and gazetted holidays? Do Government rules provide any fixed hours for all municipal boards where octroi is in force? Is it a fact that under the Government rules it is compulsory for such municipal boards to keep to these fixed hours or do the rules provide an option to the boards to change them?

*14. Will the Government be pleased to state if Government rules lay down the working hours of the head octroi office? For how many hours each day must the municipal board keep the head octroi office open?

The Hon'ble Rai Rajeshwar Bali : An answer will be given at a later date.

THE BUDGET, 1924-25.

DISCUSSION OF DEMANDS FOR GRANTS.

Demand No. 6.

HEAD 41—CIVIL WORKS—PUBLIC WORKS.

Mr. Ashiq Husain Mirza : I beg to move that the demand of Rs. 3,266 for electric lights and fans for the Executive Engineer's residence at Allahabad be omitted. Sir, my objection to this item is exactly of the same nature as the objections I have made regarding residences. We do not know where we are going to stop and what we are going to supply to the Public Works department. In one case it is a question of supply of furniture to an engineer, and in another case it is a bungalow, and when we have done that, they want electric lights and fans! As we cannot under present financial conditions afford to supply these luxuries, I suggest that the demand be omitted.

Mr. A. C. Verrières : This demand was merely put up because, for one thing, electric fans and lights have been provided in almost all Government buildings in Allahabad. As the House is aware, Allahabad is not altogether a cool spot in the summer. In view of these facts I hope the demand will be allowed. These are my only arguments. The officer pays rent and the rent is not subject to a 10 per cent. limit; we get a full return for our money.

The motion was put and adopted.

Mr. Ashiq Husain Mirza : I beg to move that the demand of Rs. 11,231 for replacing fans and regulators at the Government Press be reduced by Rs. 5,281. Sir, I find that 56 fans have gone wrong all at one time at the Government Press. Evidently there is an epidemic among fans at Allahabad, as I have never seen 56 fans go wrong at the same time. The cost of the fans works out to over Rs. 200 per fan.

[Mr. Ashiq Husain Mirza.]

The cost in Lucknow—in fact some of the members of this House have bought fans delivered here—is Rs. 120 each retail. If these fans are bought wholesale they could be had very much cheaper. I, therefore, propose that a reduction should be made in the demand.

Mr. E. A. H. Blunt: It is perfectly true, Sir, that there has been disease among the fans of the Government Press. The disease is a common one, that of old age. They are, I believe, 19 years old. For that reason it is about time they were renewed. Even the honourable member will admit that fans do not last for ever, nor do electric lights. I would also like to say that the fans are not for high paid officials. They are in the shops where a number of coolies have to work in a terrible temperature all through the heat of the day and sometimes at night, and I do think that in this case the honourable member should withdraw his motion. It is not fair to these men that they should be made to work under these conditions without fans.

Mr. A. C. Verrières: Since the estimate was made I understand that the cost of fans has gone down by 40 rupees. I accept the reduction to this extent! Quotations are asked for whenever installations of this kind are put up, and we must abide by them. If one can obtain material at low prices here and there we cannot be guided by these rates in our estimates. I am quite willing to accept a reduction of Rs. 2,600. I move therefore an amendment to the motion that in place of the figure Rs. 11,231 the figure Rs. 8,631 be substituted.

The amendment was put and adopted.

The amended motion was then put and adopted.

Mr. Ashiq Husain Mirza: I move that the demand of Rs. 10,207 for additions and alterations to the inspection house at Ghaziabad be omitted.

I think for the additions and alterations of a wayside bungalow, even if it is for inspection purposes, the sum asked for is far too large, and I therefore beg that the amount should be omitted.

Mr. A. C. Verrières: The money is for a building that was burnt down, at any rate the outhouses were burnt down. The verandahs and building are said to be roofed with country tiles and to be infested with bats and vermin. I have lately made inquiries as to what this estimate consists of, and I find that it includes Rs. 2,000 for subordinates' quarters. On reconsideration I think that this sum of Rs. 2,000 may be omitted. If the honourable member accepts this cut, I move an amendment that the demand be cut down by Rs. 2,000.

The Hon'ble the President: There are two motions before the House, one that the demand be reduced by Rs. 10,207 and the other that the demand be reduced by Rs. 2,000.

Mr. Ashiq Husain Mirza: I accept Mr. Verrières' amendment.

The amendment was put and adopted.

The motion, as amended, was then put and adopted.

Thakur Hanuman Singh: I rise to move that the demand of Rs. 5,80,190 (Original Works—Communications) be reduced by Rs. 2,49,893. With your permission, Sir, I desire to move an amendment with a view to substitute . . .

The Hon'ble the President : The honourable member cannot move an amendment to his own motion if he has moved it.

Thakur Hanuman Singh : I want to reduce the amount. Perhaps it may be a technical mistake.

The Hon'ble the President : The honourable member may get some friend of his to move the amendment.

Thakur Hanuman Singh : I will leave my amendment alone. This motion comprises several items. The first of these is item no. 76,—constructing a cart road from Kolukhet to Bhatra. The provision under this head for the year under budget is Rs. 1,52,666. For the construction of this road only Rs. 75,000 was provided in 1923-24 and Rs. 72,303 in 1922-23. This year the provision is double the amount which was provided in each of the two previous years. When we are in financial difficulties I find no reason why the amount should be double that which was provided in the two previous years. So I propose that this Rs. 1,52,666 be reduced by Rs. 75,000.

The next item is No. 80—raising and metalling the Cawnpore-Etawah-Agra I.A. Provincial road. In this case, too, I want a reduction of Rs. 25,000 from the amount of Rs. 50,000 which has been provided for the purpose. During the current year the provision was Rs. 15,000 and in 1922-23 the provision was Rs. 1,75,523. This year if Rs. 25,000 is provided for this work, I think the work will go on and there will be a saving of Rs. 25,000 at the same time. Then I come to item No. 83—bridging two dips in the Lucknow-Cawnpore I.A. Provincial road. For this work the provision is one lakh for the next year. For the current year the provision was Rs. 60,000. I desire, Sir, that instead of Rs. 1,00,000, the sum of Rs. 50,000 be provided.

Then I come to item No. 91—lengthening and widening the pontoon bridge at Jhusi. This work has not yet been taken in hand, but if the Public Works department wants to commence the work it should be granted, say, Rs. 30,000 to take the work in hand during the coming year. When we will have more money, i.e. in the year 1925-26, the Council may grant more. These are works which can be done gradually. There is no necessity that all of them should be completed and constructed during the coming year when we have got a deficit to make up.

Mr. E. A. H. Blunt : The honourable member's idea of building roads is apparently to put down a small sum for a large number of roads and to get on with them very slowly. But that does not seem to me to be a desirable method, whether you look at it either from the point of view of engineering or of finance. So long as the road is in the process of building it is useless. If you look, in the first place, at item No. 76, you will see that a sum of Rs. 1,52,666 will complete that road. It is a road between Dehra Dun and Mussoorie—an extremely important one—and I understand that the road, as it stands, is more or less useless. So if we accept this motion we shall be merely keeping it useless for another year.

The next is the raising and metalling of the Cawnpore-Etawah road. Last year only Rs. 15,000 was provided simply because there was not more money to be got. This year we have been able to find the money, and it seems to me advisable to get on with it and finish it as soon as

[Mr. E. A. H. Blunt.]

possible. Probably it will be finished next year. If we only get Rs. 25,000 this year it will not be finished for another year on top of that.

Another is the bridging of two dips on the Lucknow-Cawnpore road. I happen to know that place and I have suffered from it. They are close to the Ganges on the Unao side of the Lucknow-Cawnpore road. The whole of that road was cut to pieces in the last monsoon. That road, for months at a time, is totally impassable. Being a most important road, the honourable member invites us to spend only Rs. 60,000 this year and to spend another Rs. 60,000 next year and another Rs. 60,000 the year after, and possibly it will take about four years to finish it, when it ought to be finished at once. The last is about the lengthening and widening of the pontoon bridge at Jhusi. The bridge has to be finished as quickly as possible. The bridge has got to be lengthened simply because the river has broadened. Otherwise the bridge would be useless. I oppose the motion entirely.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It seems to be a sort of habit with this Council that whenever a demand comes before them they would like to get a toll out of it. As honourable members are aware this department has already paid a very heavy toll from yesterday up to this morning. The budget discussion commenced yesterday afternoon and we have had very heavy casualties since. Under Public Works department there was a reduction of Rs. 2,12,000. Now, I hope that honourable members would not like to cut the budget down any further. My friend is trying to observe economy in roads. Some of them are very, very necessary. For instance, the road between Lucknow and Cawnpore has many dips. I had to pass over that road only very recently and I found that one has to motor for two or three furlongs into a jungle to get to the other side of the road. My honourable friend from Cawnpore, I hope, will bear me out when I say that it is impossible for one to pass over that road, and that sooner it is completed the better. I do not think there is any use exercising such false economy. I hope my honourable friend will withdraw the motion.

The Hon'ble the President (to the mover) : Does the honourable member wish to withdraw ?

Thakur Hanuman Singh : May I be permitted to reply ?

The Hon'ble the President : No, I shall put the motion.

The question before the Council is that the demand under "Original Works—Communications" be reduced by Rs. 1,80,000. The motion is divided into four parts.

(a) Refers to item No. 76. The question is :—

That the demand in connection with item No. 76 for Rs. 1,52,666 for constructing a cart road from Kolukhet to Bhatta be reduced by Rs. 75,000.

The motion was negatived.

The Hon'ble the President : (b) The question is :—

That the demand under item No. 80 for raising and metalling the Cawnpore-Bitawah-Agra I.A. Provincial road be reduced by Rs. 25,000.

The motion was negatived.

The Hon'ble the President : (c) The question is :—

That the demand under item No. 83 of Rs. 1 lakh for bridging two dips in the Lucknow-Cawnpore I. A. Provincial road be reduced by Rs. 50,000.

The motion was negatived.

The Hon'ble the President : (d) The question is :—

That the demand under item No. 81 for Rs. 60,000 for lengthening and widening the pontoon bridge at Jhusi be reduced by Rs. 30,000.

The motion was negatived.

Hafiz Hidayat Husain : I propose that under the head "United Provinces Engineering Service" a reduction of Rs. 14,610 be made. The reason why I ask for this reduction is because the Hon'ble the Finance Member gave us an assurance some time ago that only qualified men will be appointed to the Provincial Engineering Service. There seems to be no reason, and nothing has been pointed out so far as to why these men should be promoted from the subordinate service to the Provincial Engineering Service. The second point is we are going to have a qualifying examination for all the persons who are to be appointed to the lower grade of the service. Therefore, when this scheme of examination is introduced, persons who are in the lower grade of the service will automatically get a lift. Consequently it seems to me that it is absolutely unreasonable and unnecessary to provide for the promotion of these five men from the subordinate service to the Provincial Engineering Service. Therefore, I propose that this item be reduced.

Mr. A. C. Verrières : This matter has come before the Finance Committee year after year. In 1921-22 it was discovered that a certain number of deserving upper subordinates had been passed over for promotion to the United Provinces Engineering Service, and that certain other temporary subordinates, who were really junior to them, had been promoted. The position was this, when selections came to be made it was laid down that subordinates with less than 10 years' service were not eligible for promotion. Unfortunately, these men's service was laid down in the classified list as nine years, their period of apprenticeship having been omitted. The consequence was that several temporary subordinates, who really had the same number of years of service, were selected for the United Provinces Engineering Service, and these permanent men were passed over, although in point of fact they were senior. It is, therefore, to correct an injustice that has been done to these men that this demand is made. It has been put off year after year, and I may say that these men are feeling rather discontented about it. I recommend, therefore, that this amount be granted. I am sure that when the honourable mover sees the reasonableness of this demand, and that it is only to correct an injustice, he will withdraw his motion.

Mr. Ashiq Husain Mirza : My own motion is exactly the same as that of my honourable friend, Hafiz Hidayat Husain. The promotions that have been made in the past, I am sorry to say, have not been happy. More favouritism than ability has been the means of promoting the subordinates from the lower grade into the upper. I know a great many engineers in the service, and from every one of them without any

[Mr. Ashiq Husain Mirza.]

exception I have heard that these promotions to the Provincial Service from the lower branches of the Public Works department have been absolute failures, and a great mistake. I think it is only throwing good money after bad to promote more men in this manner, and I, therefore, move that the amount be omitted from the budget.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The reasons as to why these five men are recommended to be promoted have been given by the Chief Engineer. The attitude of the Government, however, is that of entire indifference in this matter. My honourable colleague, the Finance Member, once gave an assurance on behalf of the Irrigation department that none of the unqualified men would be promoted. Although that assurance was not given by the Public Works department in the Buildings and Roads branch, yet I think that the analogy can be applied in the present case also. I think therefore that I should pay regard to that announcement, though made by another member of the Government in connection with another department. For these reasons our position is that of entire indifference, and I leave the matter entirely into the hands of the Council.

The motion was put and adopted.

Pandit Nanak Chand : I move that the item for travelling allowance under sub-head "Construction" at page 41 of Detailed Estimates be reduced by Rs. 100. If the honourable members will please turn to page 41, they will find an item provided under the head "Travelling allowances" for the 1st, 2nd, 3rd and 4th circles. My object in making this motion is to raise a general discussion on the question of travelling allowance and to elicit the views of the Government. I speak subject to correction when I say that district surveyors or sub-divisional officers of the Public Works department in the Buildings and Roads branch are allowed travelling allowance at the rate of eight annas per mile and the subordinates, who include supervisors, i.e. overseers and other subordinates, under which class are included sub-overseers, are paid at the rate of four annas and two annas per mile respectively. At present I understand a uniform allotment of travelling allowance is made to every district, and as the mileage of roads is not the same in all districts and divisions of the Public Works department, this system does not work satisfactorily in all cases. In some of the districts where the mileage is small, officers do more travelling than is really necessary up to the limits of their allotments; while in others where the mileage is comparatively large, officers have to curtail necessary touring owing to the fixed allotment. I think a more equitable system than the present will be to make allotments to districts or divisions on the basis of the mileage of the roads within their jurisdiction. If such a system is introduced, it will remove the present unfair distribution of travelling allowance among officers. Let me express my meaning little more clearly by suggesting an example. If the Public Works department consider that a sub-divisional officer should inspect every road in his charge, say once in every four months, they ought to calculate the maximum travelling allowance that should be allowed to him on that basis, and the same will apply to the subordinate officers under him.

Mr. A. C. Verrières : The suggestion made by the honourable member from Bulandshahr will be looked into; but I may inform the House

that I have already made investigations in the matter. I have already written to all Superintending Engineers to the effect that the headquarters of the subordinates should now be fixed, as far as possible, in the districts. As the repairs of all buildings having been taken out of the hands of the Public Works department, there is very little left in their charge beyond the roads. The subordinates should, therefore, have their headquarters in the country and not in headquarter stations. This will enable them to make short journeys and not long journeys as they did formerly, because the road works are the only works which they have now to inspect. I have also asked the Superintending Engineers to institute a system by which the Executive Engineers will receive reports every week, from which they will know which roads need inspection and which do not. In this manner they will not need to go out so much unless there is a distinctly bad report from a subordinate. Now, Sir, in this connection there is one difficulty, and it is this, that very shortly the Public Works sub-divisions will have to be altered if the recommendations of the Public Works Department Committee are to be carried into effect. As the honourable member knows, the suggestion is that the District Engineers should be sent to headquarter stations and that their offices should be combined with those of the Executive Engineers. The District Engineers, therefore, will be in headquarter stations and their travelling allowance can easily be regulated by the Executive Engineers. So I do not think that there will be much waste of money. In any case I shall be very glad to take into consideration all that the honourable member for Bulandshahr has said, and I will do my best to meet his wishes.

Pandit Nanak Chand : I do not wish to press my motion.

The motion was, by leave of the Council, withdrawn.

Mr. Ashiq Husain Mirza : I beg to move that the demand of Rs. 5,500 for the grant of conveyance allowance to the two Executive Engineers of Lucknow and Cawnpore and four District Engineers be omitted. This is a recurring sum that we are asked to pay to the two Executive Engineers and four District Engineers. When we first engage these officers they immediately ask for an overseas allowance, and when this is agreed to, they want a technical allowance, on landing in India they want a house first, then electric lights and fans, neat furniture, and an allowance for remaining in a good place as well as in a bad one! If we do not put a stop to these allowances of the Public Works department, a day will come, Sir, when we shall be asked to vote a demand as a matrimonial allowance also! I therefore hope that the Council will reject the demand for this allowance, which seems to me to be absolutely unnecessary.

Mr. A. C. Verrières : I doubt whether the honourable member exactly understands the meaning of this allowance. According to the Civil Service Regulations all journeys within a five-mile radius of a headquarter station have to be done free, that is to say, the Government gives no allowances. Now in these headquarter stations, take Cawnpore for instance, there is a considerable amount of work going on at the Agricultural College at a long distance from the Executive Engineer's residence, which has to be inspected day in and day out. It is therefore no exaggeration to say that the Executive Engineers and the District Engineers have frequently to perform journeys for which they absolutely

[Mr. A. C. Verrières.]

get no payment. I know that in several of these cases District and Executive Engineers do as much as 300 miles a month and get nothing for it. Under the ordinary regulations they get eight annas a mile; if this were given within the five-mile radius the travelling allowance would be Rs. 150 a month. Under present regulations they get nothing. Were it possible to alter these rules and pay them eight annas a mile for all journeys within a five-mile radius I do not think that this allowance would be necessary. It would give them Rs. 150. Here we are asking for only Rs. 100. I hope, therefore, that the honourable mover will see his way to withdraw his motion.

Rai Bahadur Babu Vikramajit Singh: I could not follow the Chief Engineer when he said that the District Engineers and Executive Engineer will have to go to a distance of more than five miles in order to inspect their work. I do not know where the house of the District Engineer is going to be located from the Agricultural College. Unless it is going to be constructed beyond the Oudh and Rohilkhand Railway station, it will never make five miles.

Mr. A. C. Verrières: I said that all journeys done within a radius of five miles are not paid for.

Rai Bahadur Babu Vikramajit Singh: If all journeys done within a radius of five miles are not paid for, why should a separate allowance be given to the Engineers to make journeys within a radius of five miles? I think their salaries ought to be considered sufficient to cover any journeys that they make within a radius of five miles.

If they get a house in Gwaltoli or in Civil Lines I think it will be less than three miles, and therefore I do not think an allowance of this nature ought to be made admissible or permissible.

Mr. E. A. H. Blunt: I do not think during the course of my office as Financial Secretary for the last five years I have ever met with a charge that was more legitimate than this. The position is this. An officer cannot get any travelling allowance at all unless he travels outside a radius of five miles from his headquarters. The actual point is this that these officers, within that radius of five miles, have to travel great distances, as they have to go from one work to another. It is desirable that they should do their work with speed. It is, therefore, essential that they should provide themselves with some rapid means of locomotion. As a matter of fact at the present time they have got cars and motor bicycles. As the honourable member no doubt knows, they cannot buy a car or a motor bicycle for nothing, and the result is that these people have to put their hands into their pockets to pay for the travelling which they have to do within a radius of five miles. If the journeys were outside a radius of five miles they would get eight annas a mile. The consequence is that the journeys which these officers perform within a radius of five miles from their headquarters are, as Mr. Verrières has just pointed out, anything up to 300 miles a month or even more, but they do not get even a penny for it. They use their own cars and motor bicycles for the benefit of the Government. That I consider is not fair. I once saw the accounts of an officer—not one of those mentioned here, but the nature of whose duties were exactly the same. He showed me his accounts from which it became absolutely plain to me that he spent nothing less than Rs. 2,000 or

Rs. 3,000 a year on petrol and on renewing tyres and on repairs. All this was done entirely and solely for the benefit of Government. Well, I do not think that Government should fine their officers for doing their work. But that is what the present state of affairs comes to? Unless you pass this sum you are perpetuating the injustice of fining these people for doing Government work at a rate of Rs. 3,000 per annum.

The motion was put and the Council divided as below :—

Ayes (56).

Raja Bahadur Brij Narayan Rai.
Mr. H. David.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Rai Bahadur Lala Sita Ram.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Thakur Rajkumar Singh.
Rai Amba Prasad Sahib.
Raja Suryapal Singh.
Babu Nemi Saran.
Chaudhri Badan Singh.
Chaudhri Sardar Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukm Tej Pratap Singh.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyay.
Raja Sri Krishna Dutt Dube.

Thakur Hanuman Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargobind Pant.
Mr. Mukandi Lal.
Raja Shankar Sahai.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Kunwar Surendra Pratap Sahi.
Mr. Muhammad Aslam Saifi.
Maulvi Zabur-ud-din.
Lieut. Nawab Jumshe Ali Khan.
Khan Bahadur Kunwar Inayat Ali Khan.
Maulvi Omaid-ul-Rahman Khan.
Hafiz Hidayat Husain.
Dr. Shafiqat Ahmad Khan.
Khan Bahadur Maulvi Fasih-ud-din.
Mr. Asbiq Husain Mirza.
Khan Sahib Munshi Siddiq Ahmad.
Lieut. Shaikh Shahid Husain.
Khan Bahadur Chaudhri Muhammad Rashid-ud-din Ashraf.
Shaikh Abdus Samad Ansari.
Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Lieut. Shaikh Imtiaz Rasul Khan.
Thakur Jagannath Bakht Singh.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad.

Noes (24).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.

Mr. R. Burn.
Mr. A. B. Reid.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad Ejaz Rasul Khan.
Mr. H. C. Desanges.
Babu Khem Chand.
Rai Bahadur Pandit Balbhadra Prasad Tiwari.

The motion was accordingly adopted.

Rai Bahadur Lala Sita Ram: They say a zero in arithmetic has no value, and if anybody challenges that statement, Dr. Ganesh Prasad will, perhaps, demonstrate the truth of it. With your permission I may take out a zero out of the figure of Rs. 1,00,000 in this motion of mine.

The Hon'ble the President: Yes.

Rai Bahadur Lala Sita Ram : I beg to move that the provision under "Establishment" (page 7, Detailed Public Works Estimates) be reduced by Rs. 10,000. Various considerations have prevailed with me in reducing the amount to that extent, and I will at once say why. If honourable members will turn to page 7 of the Public Works department Detailed Estimates, they will find what the Public Works department establishment actually costs us. The Hon'ble Minister told us yesterday that several sub-divisions and divisions have been abolished and that Government is hurrying up their decision on the recommendations of the Public Works Department Committee and that the Hon'ble Minister would honour his own signature on that committee's report and that economy would be carried out subsequently. But what do we find at present? In spite of the reduction of these sub-divisions and divisions there is not a proportionate decrease in establishment, for according to the actuals of 1922-23 the provincial establishment of the Public Works department came to Rs. 13,84,000, while the budget provision for 1924-25 has been put at Rs. 13,93,000. So this does not show that there is any decrease in establishment. If there be any disposition to contest this statement, pages 44 and 45 of the Detailed Estimates tell us the percentage of the establishment of the Public Works department on the outlay and what do we find according to that? In the year 1922-23 this percentage was 23.40, but in the budget year it will be 25.7. It will be still higher if we take out of the outlay the cuts that we have made; it will be somewhere about 27 or 28 per cent. So there is no proportionate reduction in the case of the establishment. The honourable the Chief Engineer tells us that some roads in some districts have been handed over to local bodies and in some more districts these roads will be handed over to them. The work of carrying out repairs in departmental buildings has been handed over to the heads of departments and we find the establishment practically the same, if not larger than it used to be. In this connection I may say that I have no desire to attack the creation of the Subordinate Engineering Service, the creation of which has been due for some time, but I must point out that the top-heaviness of the department, namely, the superintending engineerships, which the Public Works Department Committee recommended for abolition, have not yet been abolished. In Madras it was long ago that orders from the Secretary of State were secured for the abolition of these posts and the Secretary of State did consent to the abolition of some of these posts. In the United Provinces we are told that these reductions are still to be made and we do not know when that will be the case.

Another thing that I may point out in this connection is the travelling allowance under the Chief Engineer's own establishment. Although according to the revised travelling allowance rules this travelling allowance ought to have been less, we find that he has only reduced it by Rs. 450, that is according . . .

The Hon'ble the President : Has not the travelling allowance already been dealt with?

Rai Bahadur Lala Sita Ram : I am dealing with Establishment as a whole. Travelling allowance also comes under Establishment.

The Hon'ble the President : What page is that?

Rai Bahadur Lala Sita Ram : Page 28, Sir, and that is only an argument of mine on which I ask the Council to vote for this reduction. He has reduced it by Rs. 450. I think there is some room for economy there, so that if a total reduction of Rs. 10,000 is made, I think the honourable the Chief Engineer will not be embarrassed. A reduction can safely be made.

I wished to refer in an earlier motion of mine to the abolition of the post of Consulting Architect, and I was unfortunately absent at that moment; but I may use it as an argument—as a further argument—in the reduction of establishment. I stick to every word of what we said in the Economy Committee's report that the Consulting Architect is not necessary. I think that the buildings that we constructed according to the designs supplied by the officers of the Public Works department were good enough, were pretty enough, and, perhaps, substantial enough. Now we find that owing to the creation of the Consulting Architect's office he must justify his existence and he must give us more pretty, more beautiful, more handsome buildings; but as that item is, perhaps, non-votable, I think I would not have been in order in having moved that reduction. But Government must reconsider its position as to this post. I ask the House, therefore, to reduce Rs. 10,000 under "Establishment" so that we may show that the speed with which cost on this side is increasing must be lessened to a certain extent.

Mr. A. C. Verrières : Before I say anything I would like to point out to the honourable member that last year we made a cut of a lakh of rupees in the Public Works department establishment; this year we propose a further cut of Rs. 40,000; total 1,40,000—no small cut. He complains that the orders about the reorganization are not out. Well they are under the consideration of the Government, but I would like to point out to him that we are working towards an end. I have already combined the offices of two Superintending Engineers with my office in Allahabad. Now before doing anything else we have put on an official on special duty to look into the preliminary work connected with the reorganization. A considerable amount of spade work has to be done before all the recommendations can be carried out. He is investigating these points. For instance, he has got to look into the question of accommodation for offices. It will be remembered that it was suggested to combine the District Engineers' offices with those of the Executive Engineers at headquarters as far as . . .

Rai Bahadur Lala Sita Ram : I said nothing about the amalgamation of offices. What I said was about the abolition of these posts.

Mr. A. C. Verrières : What I mean to say is that a certain amount of spade work has got to be done before anything can be settled, that is to say, he has got to look into accommodation and all that kind of thing. He has also got to see what can be done with the surplus officers. No reorganization can be started until such time as a certain amount of this preliminary work has been done.

Again I have already combined, as I said, two Superintending Engineers' offices with mine in Allahabad. I cannot do more at present. As it stands, all the floors of my office are littered with their files. I cannot go on like this. We have already taken in two offices, we shall later on take in a third and a fourth, that is to say, the process of combination can but be gradual.

[Mr. A. C. Verrières.]

The honourable member has said that the provincial charge still remains the same. Well, the provincial charge depends a great deal on the amount of work that is carried out for other departments, i. e. for the Imperial departments and for district boards and that kind of thing. They take a certain percentage and the balance is paid by the Provincial Government. The real statement that ought to be considered is the one at page 42. There he will see that last year the total amount of the budget was Rs. 24,85,759, this year it is Rs. 20,37,853. That is the whole charge for establishment in the province. The charge has been reduced by 4 lakhs and forty-eight thousand, but that does not represent the reduction, because 4 lakhs and eight thousand out of that represents the establishment of the Superintending Engineer, Public Health, which has now been transferred to Local Self-Government. However, I want to point out that a Rs. 40,000 cut has already been made and further cuts will be made as we advance in the direction of re-organization. This we are already doing. However, I have no objection to this reduction of Rs. 10,000 and accept it on behalf of Government.

Rai Bahadur Lala Sita Ram : May I explain, with reference to the figures given by the Chief Engineer, that even if we look at page 42 we find according to the budget for 1923-24 the provision was Rs. 24,85,759 and the provision now made is Rs. 20,37,853. If adjustment be made on account of the Public Health department, i.e. the Sanitary Engineering branch transferred from the Public Works department to Public Health, Local Self-Government, it would be Rs. 24,62,000, so there is really little reduction because. . .

Mr. Verrières : There is a reduction of Rs. 40,000.

Rai Bahadur Lala Sita Ram : However, as he has accepted the cut, I need not quarrel over that small matter. I hope the abolition of the Superintending Engineer will be hastened.

The motion was put and adopted.

Pandit Nanak Chand : I move, Sir, that the demand 41—Civil Works be reduced by Rs. 100.

I assure the Hon'ble Minister that this motion is not intended to add to his casualty list, but this is only with a view to draw his attention to one very important question which relates to this department, namely, the rent of residential buildings constructed and maintained by this department. It has been the experience of this House for the last three years that the Government often brings forward estimates for the construction of residences for its officers. I understand, Sir, that most of these officers are required to pay rent at the rate of 10 per cent. of their pay. Yesterday I learned that in the case of tahsildars and naib-tahsildars no rent is charged. I do not know if there are other officers who are exempted from payment of rent. There is, I believe, a standing order or rule of the department by which a maximum rent is fixed for each residential building constructed by the department for the various departments of the Government. I understand—I speak subject to correction—that the present rate at which the rents are calculated, including repairs, for new buildings is 8 per cent. of the outlay on such buildings. Recently there were two such buildings put up at the headquarters of the district from which I come. One is the Judge's residence which was built at a cost of Rs. 39,000.

The rent for this building comes to Rs. 276 per month. I am fortunate in having the Minister who comes from my own district. He knows very well as to whether any bungalow built in Bulandshahr at whatever cost would ever fetch that high rent of Rs. 276. The first thing that the first District Judge did was that he refused to occupy the house. The Public Works department insisted on charging rent at 10 per cent. of his pay. He was a senior officer drawing about Rs. 1,900 and the rent charged was Rs. 190 a month. I will appeal to the Hon'ble Minister whether, whatever might have been the cost of that building, it could ever have fetched that high rent. I understand he has seen the bungalow at present occupied by the superintendent of police at Bulandshahr. I understand he is paying something like Rs. 40 a month for it, which includes the pay of the *mali* and care of the garden, etc. To compare with this bungalow there is the bungalow of the Subordinate Judge which has been built at a cost of Rs. 22,000, and at the rate of 8 per cent., as I submitted, the maximum rent of this bungalow has been fixed at Rs. 110. I hope the Hon'ble Minister will admit—as he has some idea of the two buildings as I presume he must have often passed by them and it is quite possible he has seen the buildings themselves—that the rent of these buildings is far in excess for that place. Besides, he must have, I am sure, seen the present house occupied by the district officer. I have come to know—I do not want to make any complaint against any official—as a matter of fact that for years past the monthly rent of this house ...

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I believe Sir, it is not a Government building, it is a private-owned house.

Pandit Nanak Chand : The monthly rent which the Government or the occupier pays to the proprietor of this building is almost equal to the sum the proprietor is required to spend on the upkeep of the garden and the house.

This is the state of affairs : the rent on Government buildings is far in excess of the rent paid by other officers occupying private houses, and the result of this is that the District Judge or the Subordinate Judge feel it very burdensome on them to pay that rent. Not only this, there are other stations where the maximum rents for Government buildings are lower than those of other buildings, where Government has either acquired or built residences for officers holding similar posts, for example, I am told that there is a Judge's residence at Moradabad which the Government has acquired and the maximum rent fixed is Rs. 90 or thereabouts. The result of this arrangement is that in some places there are officers of the same rank who have got very decent buildings for which maximum rents are very low, while at other places the rents are very high owing to the amount of money that Government has invested. It may be partly due to the fact that prices of materials have gone up and therefore Government had to invest large amounts of money on buildings. But the result of this arrangement at places like Bulandshahr—and I think there are some other places also situated like Bulandshahr—is that no senior officer would like to stay where he has to pay 10 per cent. of his pay. He would like to go to places where he can have better houses and where the maximum rent for these buildings is comparatively small and works out at a lower percentage of his salary. Therefore I would suggest it to the Hon'ble Minister to get a valuation of all Government officers' residential houses made,

[Pandit Nanak Chand.]

whether acquired or constructed previous to, during, or after the War, and worked out at the present rates and fix the maximum rent accordingly. The result of this will be that the houses for which the maximum rent at present is low will be raised and if any officer wants to leave a place like Bulandshahr he will have to go and pay the same rent whether he chooses to go to Moradabad or to Aligarh. Government will be the gainer by the rise of rents and this will, I am sure, prevent too many transfers in places where this burden of rent is felt very heavily by the officers when they compare it with rents at other stations. I may, for the information of my friend the Hon'ble Minister, inform him that it appears to me that it was partly due to the question of rent at Bulandshahr that there have been successive transfers at very close intervals. Some of them at least are due to that. I know that the department presided over by my honourable friend the Minister succeeded in extorting rent out of the first District Judge, who protested and who did not occupy the building and preferred to stay in the sessions house at great personal inconvenience until he went on long leave. But, ultimately, I think he has got the amount of rent refunded and the Government has been a loser. So I think the Hon'ble Minister will please give his early attention to the solution of this question and will get these maximum rents fixed so that they may not bear unequally on officers who are posted to places like Bulandshahr and other places where Government has provided buildings recently at high cost.

Mr. A. C. Verrières : I think it is necessary for me to explain exactly how rents are calculated for Government residences. In pre-War days the Government had to recover $3\frac{1}{2}$ per cent. for interest, and about 1 to $1\frac{1}{2}$ per cent. for repairs and a small percentage for depreciation; that brought the rent up to about 5 per cent. on the capital outlay, or perhaps a little more. Since the War the rate of interest has gone up to 6 per cent. The repairs remain the same, i.e., from 1 to $1\frac{1}{2}$ per cent., and the cost of work has gone up by about 70 or 80 per cent., naturally the rents work out to something phenomenal, and it is quite natural that they now are so large that it is more an exception than the rule that officers pay less than 10 per cent. of their salaries for rent of Government residences recently constructed. That is really how the whole thing stands. These rates are worked out on rules laid down in the Fundamental Rules. We cannot get away from these rules. I believe the Lee Commission has some idea of pooling rents; whether it is permissible or not, I do not know. However, that is matter which the Finance department I think will consider. Personally I cannot do anything; I am bound by the Fundamental Rules and I have got to fix rent according to the rules laid down.

Mr. E. A. H. Blunt : I thoroughly enjoyed the speaker's premises, but I am not altogether pleased with his conclusions. He put his finger as a matter of fact on a rule which most people consider to be grossly unjust. It is a new rule, one of the Fundamental Rules. The rent is calculated on the capital outlay at the rate of interest which Government itself pays for its borrowings in the year in which the building happens to be built. Of course Government is a wide term. If we have not borrowed anything ourselves, then we might have to

take the rate of interest at which the Central Provinces Government or the Mysore Government borrowed. Well, Mysore borrows at a very high rate and I believe the Central Provinces too will have to borrow in future at a very high rate indeed. Further, the cost of building has gone up enormously. Apart from that, in addition to this calculation of interest on the capital outlay, there is also $1\frac{1}{2}$ to 2 per cent. for repairs. There is also a thing called "amenities." Amenities consist of water-supply, electric lights if they have been put up, and such things. In some municipalities there is a rule preventing the use of wells, in which case a water-supply ceases to be an amenity and becomes a necessity. We will have to pay something like $8\frac{1}{2}$ per cent. on the capital outlay with a maximum limit of 10 per cent. of pay, plus another 11 per cent. on the cost of the amenities on top of that which is not within the 10 per cent. limit. So that at the present day with the prices as they are and the rates of interest as they are, it is impossible to build a house at all of any sort of description, in respect of which the officer will have to pay not only 10 per cent. of his pay but more than 10 per cent. because of the amenities. There is, however, one way of getting out of that, and that is where I come in. There is a provision in the rule that Government may, for special reasons to be recorded in writing, reduce the rent. Well, Sir, it is the greatest pleasure to me when I have these cases before me, to reduce the rent—and there never fail to be special reasons. But I understand that will not suit the honourable member at all. He wants to level all rents up instead of lowering rents all round. That is, I am afraid, if I may use a vulgarism, a bit thick. If he had said at the end of his speech—as I had hoped he was going to—that we should calculate all rents on pre-War rates, then I would join with him. He said that we ought to bring down these rents to a reasonable figure taking into consideration the particular accommodation that is provided. He has given instances from Bulandshahr; I can give instances of Lucknow. I would ask him to just go and see what is called the Secretariat Penal Settlement, where some Secretaries and Deputy Secretaries are living. The houses are within 25 yards of each other; the servants' quarters of one bungalow are up against the drawing room of the next house. The whole place is right in the middle of what looks like a brick-field. And for that they have to pay about Rs. 250 a month. The rooms are so small that one could not swing the proverbial cat in any room—at all events without damaging the cat. As I said, I admire the honourable gentleman's premises, but I do not like his conclusions. I hope the honourable member will withdraw his motion.

Pandit Govind Ballabh Pant : I did not intend making any speech, but I consider it necessary to refer to one or two points in connection with the Public Works estimates that are before the House. I think, Sir, according to your observations, that this is the stage at which general remarks ought to be made. The Public Works budget is an illustration of the complaint that we have been making that too much is being spent over the agency and too little over the beneficent functions for which that machine is kept. If you will kindly refer to these estimates, you will find that the salaries, etc., consume more than 25 per cent. or something like 26 per cent. and if we take into account the casualties as the Hon'ble the Minister chose to call the cuts, which have come in in

[Pandit Govind Ballabh Pant.]

the meantime it will go above 28 per cent. So that in order to get a building erected or to get a road repaired for about Rs. 70 we have to pay Rs. 30 to those persons who supervise the construction work. And if the further fact is borne in mind that out of this amount a much larger figure, which comes to about two-thirds, is spent over repairs and one-third only is in fact applied to original works. I submit that the cost of construction looks too exorbitant, and one feels shocked when one thinks of the enormous sum that is being paid for getting this very small return. That is one point that strikes one on looking at the budget.

The other thing that one notices is that this cost has been rising for the last three years at least. The Chief Engineer corrected himself when he said that the cost relating to the Public Health department has been transferred. So, if this fact is borne in mind, then it will at once appear that the proportion of the cost to the outlay is increasing year by year. So, we come to this, that out of Rs. 100, Rs. 30 goes away to direction and supervision, and Rs. 70 remains, and out of this Rs. 70 at least 10 per cent. goes to the contractor—I think it is a legitimate thing—and in the contractor's estimates there are many items which come under the omnibus item "Miscellaneous." What they mean we do not desire to interpret here. So that what it comes to is this, that while the taxpayer is paying Rs. 100 he is getting less than Rs. 50 in the form of wages for labour and in the form of value of materials. This is a very serious state of things and I think it deserves careful consideration.

The other point I am submitting is that the cost has been rising year by year. That fact attains even greater importance when it is borne in mind that since 1910, that is, the time of the publication of the report of the Decentralization Commission the policy has been set forth of transferring local roads and buildings that are under the control of the Public Works department to local bodies. It has been accepted by this Government and the report of the Public Works Department Re-organization Committee is only awaiting adoption. Not only this: a number of economies amounting to more than Rs. 6 lakhs have been recommended by that committee. But no action has been taken thereon; in fact, the cost has been rising. The Hon'ble Minister seems to indicate that action has been taken. If it is so, I am only sorry. If it is the result that we have achieved after action has been taken, then there is absolutely no hope for the future. I would have been glad to entertain the idea that no action has been taken so far; and we can at least expect better results hereafter. This too must be borne in mind, that if these buildings and roads are to be transferred to the local bodies hereafter then the whole establishment of the Public Works department will be dislocated if action is not taken in that direction at once. Then, the existence of this staff will be set forth as one of the grounds for not carrying out the recommendations which have been made. So we will be between the devil and the deep sea. At present the staff is being increased and transfer to local bodies is being deferred and later on this very fact will be pleaded as a ground against effecting the much-desired transfer. That, I submit, is only a process of forming a vicious circle. Then there is another point in connection with this which too should be brought to the notice of the honourable members of this House. If you will please look at the total cost of the buildings that are going to be

put up, you will find that less than four lakhs are to be spent for buildings connected with the Transferred department and more than ten lakhs or about that much is going to be spent on the buildings connected with the Reserved departments. That further illustrates what I said at the outset, that much less is being spent for the beneficent functions and too much is being spent over the machinery itself. This is all I have to say, and with these remarks I resume my seat.

Raja Shambhu Dayal made an Urdu speech.

Khan Bahadur Maulvi Fasih-ud-din: The Public Works department is one of the great spending departments and, as such, it is not likely to be very popular. But I confess that it is a very indispensable department for increasing our comforts. God has made the world for us, but the building engineer has made buildings through which we can take shelter and protection from wind and weather. It is for this reason that no one can look upon this department with feelings of unkindness, much less than treat it with scant courtesy. The Chief Engineer, I hope, will not therefore very seriously mind the substantial cuts that we have made in the budget. In fact we have not been able to go to the full length of his demands. We have met him only half-way, simply because we are not rich enough. A certain mother presented her son with a toy worth one rupee, but later on when she found herself in more affluent circumstances she allowed the same boy to purchase a camel. That is exactly the case with us. We find that we have to face a deficit budget and that our financial situation is not very bright, and therefore we have no other option but to deny to the Chief Engineer what he wants.

However, from the point of view of a layman, I have to submit that this department has not been able to put up any building as yet which may be of permanent or historic interest and the work that has been turned out so far is inferior both in quality and in the matter of solidarity to the old specimens that we see in India. The Hindu architecture, the Buddhistic architecture in ancient days as well as the Afghan architecture and the architecture of the glorious days of Shah Jehan excelled not only in the matter of beauty of architecture but also in the matter of solidarity. The Taj, which is the subject of that beautiful treatise, "A Dream in Marble," stands out as a bold challenge to the scientific engineer of these days. As to the solidarity of modern buildings it is a matter of witticism with many of us that as soon as the report of the completion of a building is put in the budget for its repairs begins to run simultaneously. This matter requires the most serious consideration of the Public Works department.

Another little item of complaint that I have to make against the Public Works department is that, in my opinion, the department has crippled primary education in our country. This opinion apparently will appear to be very curious. But I submit it is an opinion at which I have arrived after a lifelong experience. The various attractive and beautiful programmes of the district boards have failed when the question of providing buildings for these schools comes in.

I think the question of the building is the chief rock against which the question of the expansion of primary education and compulsion of this education is likely to be shipwrecked. The department insists on the provision of a building before a primary school is started. I find that in old days such education, at least in the rural areas, used to be

[Khan Bahadur Maulvi Fasih-ud-din.]

given in the cloisters of mosques, in the courtyards of temples, in *dharamshalas* and even under the kindly shade of *nim* and *pipal* trees. Now we are almost entirely in the hands of advocates of the theory of brick and mortar. I think the Education department should slacken its rules in this respect, if it is at all intended to give a free scope to the spread of primary education.

Mr. Mukandi Lal: Mr. President, the post office is supposed to be an earning department and the Public Works department is always said to be a spending department. What is the demand that has been made by the spending department—the Public Works department? I think it is nearly 72 lakhs—nearly as much as has been demanded by the nation-building department, i.e., Education. The other fact that we ought to bear in mind is that quite a large number of roads have been taken over from the Public Works department by district boards and municipal boards. In spite of this we find that the Public Works department has come forward to demand such a huge amount. I think it is time that we gave a serious thought to the matter. In spite of the pruning knife that has been applied by the various honourable members by moving their motions of reduction; in spite of the heavy list of casualties referred to by the Hon'ble the Minister of Excise and in spite of the suicides that have been committed by the Hon'ble the Minister of Excise by accepting motions of reduction so readily and gracefully, we find that the total demand has not been reduced to any considerable extent. The list of reductions is no doubt very long, but the sum total is very small. Therefore my submission to the House is that, when we cannot give enough money for nation-building departments, how are we really going to vote this demand? Then I come to the usual answer that we ought to refuse this supply also, as we have been refusing other supplies.

Lieut. Raja Durga Narayan Singh: I wish to lay a point before the Council for its consideration. It is a long-standing grievance of municipalities and district boards that local roads are not in charge of these boards, and, further, that although they have to give a handsome amount to the Public Works department, yet this department does not give any satisfaction to them in the matter of the maintenance of local roads. The matter has been referred to the Government, but to my regret there is no favourable reply as yet. I am pretty sure that if the local roads are transferred to these local bodies, I think they will maintain these roads at a lower cost than the Public Works department does. Hence I consider in the interest of the public and for the satisfaction of local boards that the local roads should be transferred to these local bodies as early as possible.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable mover of the motion drew the attention of the House as well as the Government to an injustice which is prevailing in some districts, especially in the district from which both of us hail. I know that the rents in most of the districts are much lower than what they are in Bulandshahr, but the honourable member from Bulandshahr, far from trying to get the high rents reduced, has recommended that the scale of rent, where it is not already high might be raised in order to bring about a uniformity in rent. Well, Sir, with due deference to my honourable friend, I would say that I am unable to follow the logic of his

argument when he says that if there is a certain injustice in one district it should be extended to others. However, I will ask the Chief Engineer to look into the matter and to find out if it is possible to secure uniformity in rent in all districts.

With regard to the point raised by my honourable and gallant friend the Raja of Tirwa, that the roads be transferred to the local boards, he will be delighted to learn that we have already accepted the principle underlying his suggestion, and have accordingly transferred the roads which were so long under the charge of the Public Works department, in the case of two of the district boards, namely Meerut and Bijnor. The question of making over the roads in Saharanpur to its district board is at present under consideration. As far, however, as the municipalities are concerned, they are already maintaining their roads in most of the places, and as to the hope expressed by the Hon'ble the Raja Sahib that things will turn out better if the roads are made over to the local boards, I can only say that I whole-heartedly join with him in that hope and wish that it may be realized, although I regret to say that in the case of some of the municipalities the signs are not very happy.

Pandit Nanak Chand : I am grateful to the Hon'ble Minister for having given the House an assurance that he will ask the Chief Engineer if it is possible to secure uniformity of rent in all districts. As I attempted to point out, my object was not merely to get the injustice removed, but also to ensure that the Government do not suffer any loss on account of low rent from buildings which have been put up at a very heavy cost. Now that the Hon'ble Minister has promised that he will make suitable inquiries in the matter, I beg leave of the House to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

The net demand of Rs. 65,93,826 under 41—Civil Works—Public Works was then put to the Council and voted.

Demand No. 7.

HEAD 41—CIVIL WORKS—GRANTS-IN-AID.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I rise to communicate to the Council the recommendation of His Excellency the Governor that a sum of Rs. 4,65,500 be provided under head of account No. 41—Civil Works—Grants-in-aid, and I move that the amount be voted.

The motion was put and adopted.

Demand No. 8.

PUBLIC WORKS AND OTHER OUTLAY NOT MET FROM REVENUE.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I rise to communicate to the Council the recommendation of His Excellency the Governor that a sum of Rs. 17,47,574 be provided under Public Works and other Outlay not met from Revenue, and I move that the demand be voted.

Rai Bahadur Lala Sita Ram : I move that item No. 2 for Rs. 21,454 under "Original Works—Buildings (60 Civil Works—Public Works and other Outlay not met from Revenue)" be omitted. Honourable members will find in the detailed estimates of the Public Works department—

[Rai Bahadur Lal Sita Ram.]

"other outlay not met from revenue" that item No. 2 stands for the construction of a bungalow for the Principal in Creet's compound at Cawnpore at a cost of Rs. 21,454. This building has not yet been commenced, but it is proposed to undertake the construction of it in the budget year. From the manner in which the Deputy Secretary, Industries department, has pushed forward to the front part of the Government benches, I believe that he is going to reply to this motion and it appears therefore that it must be in connection with the residential house of some Principal of his branch, and as the Textile School was going to be started from the 1st of October, I shall not be surprised if this building is to be provided for the Principal of that school. (Voice of "Yes.") I am told that it is so. I am not surprised, therefore, because it was only the other day when talking to an expert—and I may assure the Hon'ble Minister of Industries that he was a real expert in Industries—that he told me that what Government cares for in these development and industrial schemes is to have the staff first, then the buildings and equipment, and then the curricula or any other thing. The result is that the curricula and instruction naturally suffer because by the time the Government arrive at that stage they have exhausted their resources and the Council is in a sulky mood.

Kunwar Jagdish Prasad : Name the expert.

Rai Bahadur Lala Sita Ram : One of my chief objections to having the construction of these bungalows is that it is out of loan funds. I would not have cared much if it had been provided for out of revenue funds. I do not understand why Government should draw upon the loan fund for the construction of a house which is going to cost Rs. 21,000. For the construction of buildings costing much more than that they have gone to the revenue funds. It cannot be said that this building is of a remunerative character. If it is of a remunerative character it can only fetch rent. It stands to reason that this building should not have gone to swell the expenditure on development schemes from the loan fund but should have been built from the ordinary revenue fund. There is one other thing. My honourable friend from Cawnpore, who perhaps knows every nook and corner of Cawnpore, tells me that there are a number of houses available in Cawnpore and, as Mr. Blunt told us a short while ago, it is no use penalizing these officers by charging high rents for buildings constructed for them. Therefore I think that this building can wait till money can be had at a cheaper rate of interest. I hope the Government will see their way, if they are not very keen about it, to accept this motion.

Mr. A. B. Reid : I rise to reply to the motion of the honourable mover. So far as the honourable member's objections relate to the fact that this residence is to be financed out of loan funds and not from revenue, I am not concerned; I understand that it is to be financed from loan funds, because the Textile school, to which this residence relates, as the honourable member has rightly surmised, was so financed itself. The honourable member's other objection is, I understand, that if this residence is provided, it will be to the detriment of the school itself, as the money which is spent on the residence would be better spent on equipping the school and giving the students the best possible instruction. About

that, Sir, he need not have any fears; the school is fully provided for already. I cannot accept the honourable member's suggestion that the project for this residence should be dropped. We are not asking for this residence in the interests of any particular individual officer. We are asking for it in the interests of the new Textile school which has been built on behalf of the Industries department and to which the Industries department is anxious to give the best possible chances of success. In the Education department it is a well-recognized principle that Principals of Government schools should be given accommodation in the vicinity of their schools, otherwise they will not be able to attend to urgent school business out of school hours or to see the students in their leisure hours or be present at games; if they do not do that their efficiency is impaired. That is why we have asked for this residence.

The honourable member has stated that the Principal might be able to get a residence elsewhere. The facts are that he has not been able to get a residence, except by indenting on the Technological Institute, which is three or four miles away. He is living in Institute quarters which are not at present required by the staff of the Technological Institute. But the quarters of the Technological Institute will be required for the Institute shortly, and the Principal will then have to clear out. If he cannot find a residence for himself, how will he be able to look after the Textile school? That is the whole object with which we have asked for this residence. It is not in the interests of any individual officer, but it is in the interests of the efficiency of the school. I ask the honourable member to withdraw his motion.

Rai Bahadur Lala Sita Ram : It is one of the recognized systems of British administration in India that they always depend on the opinion of men on the spot. My friend to my right is an expert so far as the local opinion of Cawnpore is concerned. He tells me that the Dyeing school and the Leather school are going to be shifted from their present premises to somewhere else—one to the Technological Institute and the other to Creet's compound. If this is the case, the two bungalows which are at present hired premises no doubt and which can be available for the Principal, will be available hereafter. There is a Persian proverb which says :—

“Gurba kushtan baroz awal beh.”

This is not the only item; but I find that this is only a feeler, perhaps for three more items later on, because the estimate is for four bungalows costing Rs. 85,816. So perhaps I think this is the first. I think the Council should give a decision as to whether on the principle laid down by Mr. Reid that the teachers must live on the premises where there is no boarding-house even so as to be able to look after the games and the like and to the teaching of textile work in their leisure hours, we should provide this money for which we shall be faced with the plea of estoppel hereafter.

Mr. A. B. Reid : I may inform the honourable mover that this is quite independent of the other three. We are asking for a house because it is an absolute necessity. There is no proposal at present for the construction of the other three houses.

The motion that item No. 2 for Rs. 21,454 under “Original Works—Building (60—Civil Works—Public Works and other outlay not met from

[Rai Bahadur Lala Sita Ram.]

Revenue)" be omitted, was put and the Council divided as below :—

Ayes (57).

Raja Bahadur Brij Narayan Rai.
Mr. H. C. Desanges.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Rai Bahadur Lala Sita Ram.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.
Rai Bahadur Pandit Kharagjit Misra.
Raja Suryopal Singh.
Babu Nemi Saran.
Chaudhri Badan Singh.
Chaudhri Sardar Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukm Tej Pratap Singh.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhya.

Raja Sri Krishna Dutt Dube.
Thakur Hanuman Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Raja Shankar Sahai.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Kunwar Surendra Pratap Sahi.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Kunwar Inayat Ali Khan.
Maulvi Obaid-ul-Rahman Khan.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Mr. Ashiq Husain Mirza.
Khan Sahib Munshi Siddiq Ahmad.
Lieut. Shaikh Shahid Husain.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Shaikh Abdus Samad Ansari.
Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Lieut. Shaikh Imtiaz Rasul Khan.
Thakur Jagannath Bakhsh Singh.
Rai Bahadur Babu Vikramajit Singh.

Noes (25).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.

Mr. R. Burn.
Mr. A. B. Reid.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad Ejaz Rasul Khan.
Babu Khem Chand.
Rai Bahadur Pandit Balbhadra Prasad
Tiwari.
Nawabzada Muhammad Yusuf.
Dr. Ganesh Prasad.

The motion was accordingly adopted.

Rai Bahadur Lala Sita Ram : Sir, with your permission, I would substitute "Rs. 40,000" for "Rs. 50,000" in my motion.

The Hon'ble the President : Yes.

Rai Bahadur Lala Sita Ram : I beg to move that the demand under item No. 3. Original Works—Buildings for Carpentry School, Allahabad (60 Civil Works—Public Works outlay not met from revenue) be reduced by Rs. 40,000.

This is a provision for constructing a Carpentry School at Allahabad. Rupees 8,939 have already been spent or are likely to have been spent during the year 1923-24, but for 1924-25 a demand has been made for Rupees 1,04,600. I do not think that even with the best efforts the Public Works department will be able to spend such a large sum, but it is

always open to the Hon'ble Minister to come forward with the supplementary estimate for a further sum if he is able to spend the money already provided. For the time being he may be content with a sum of Rs. 64,000.

The Hon'ble Nawab Muhammad Ahmad Sa'id Khan : I accept this reduction. In fact my friend the honourable mover has not reduced the amount, but he has simply given us Rs. 64,000 for this year, and he has been very kind to say that I can come forward for a supplementary grant in case the provision now allowed is exhausted. I have no objection to the reduction.

The motion that the demand under item No. 3. Original Works—Buildings for Carpentry School, Allahabad (60 Civil Works—Public Works outlay not met from revenue) be reduced by Rs. 40,000 was put to the Council and adopted.

Rai Bahadur Babu Vikramajit Singh : I beg to move that the item of Rs. 6,12,000 (60A—Other Provincial works not met from revenue) be reduced by Rs. 3,00,000 for Public Health.

If the honourable members will turn to page 113 of the Detailed Estimates they will find that against "Public Health" a sum of Rs. 6,12,000 has been provided under "60A—Provincial Works not charged to revenue" and they will see on page 50 of Mr. Blunt's memorandum that this sum of Rs. 6,12,000 is composed of three items—

	Rs.
Grants to Improvement Trusts	4,00,000
Grants to the Lucknow municipal board for its water works re-organization scheme	1,50,000
Grant to the Muttra municipal board for its sewage disposal scheme	62,000

It is with reference to the first item of Rs. 4 lakhs that I am moving this reduction, i.e. my proposition is that instead of four lakhs which has been proposed to be given as grants to Improvement Trusts, a sum of one lakh only be provided and the demand of four lakhs may be reduced by three lakhs. Now, the honourable members of this House will remember that the Town Improvement Act was passed by this Council in the year 1919. The idea was to have Improvement Trusts created in various large towns with a view to improve sanitation, remove congestion, give better housing, better roads, and better lighting to various big towns. Now the Council has to see how far this object has been achieved and it has also to see whether the grants given in the past have been well utilized and whether the policy of giving large free grants should be continued. The House will see that in three large cities, viz., Cawnpore, Lucknow and Allahabad, Improvement Trusts have been created—in Cawnpore and Lucknow for the last four years and in Allahabad for the last three years. These Trusts are statutory bodies; they frame their own budgets and those budgets go to the Hon'ble Minister who has got the power to sanction, to cut down or to revise them. But, as honourable members will see, the budgets of those bodies do not come to the Legislative Council. The only control that this Council has got over the Improvement Trusts is in the way of giving grants to these bodies.

[Rai Bahadur Babu Vikramajit Singh.]

It will be found that Mr. Grant was appointed as special officer to go into the affairs of these Improvement Trusts in response to the non-official clamour that the affairs of the Trusts were not so good as they should have been and he has submitted his report. From the figures given in Mr. Grant's report which are up to March, 1923, it appears that a sum of Rs. 17,40,000 has been given to the Lucknow Improvement Trust by way of free grants, a sum of Rs. 7,56,826 has been given to Cawnpore Improvement Trust, and a sum of Rs. 5,50,500 has been given to Allahabad by way of free grants. Of course in these figures the sums given after March, 1923, are not included. The bulk of the expenses in the case of Cawnpore and Allahabad have been met from loans which have been taken from the Government by these Improvement Trusts. It will be found, Sir, in the case of Cawnpore that a sum of 32 lakhs has been taken as loan and in the case of Lucknow a sum of Rs. 8,45,674 was taken by way of loan from the Government up to the same period. In the case of Allahabad a sum of Rs. 4,19,000 was taken by way of loan. It will be seen, however, that these Trusts have not so far fulfilled the object for which they were created. From the report of Mr. Grant it would appear that most of the schemes in the hands of these Improvement Trusts are merely running schemes. Very few, if any, of those schemes have been completed or disposed of. It might be said in the case of Allahabad that schemes of the value of less than two lakhs have been completed, but so far as Lucknow and Cawnpore are concerned, it will be found that no schemes of any appreciable value have been completed at all. Most of these schemes which were taken in hand are running schemes. It will also be found on a consideration of the report and of the figures available that very large sums of money have been spent by these Improvement Trusts on establishment and on normal expenditure. I am personally acquainted so far as the Cawnpore Improvement Trust is concerned—so far as the other Trusts go I am only speaking from information derived from other honourable members or from the records. But so far as Cawnpore Improvement Trust goes I can say that when I was appointed on the Trust by the Government as a member I found that the Improvement Trust was spending as much as about two lakhs on establishment and on its expenses and it struck me that it was a very high figure, and I moved for the appointment of a retrenchment committee and a retrenchment committee of the Trust was appointed and the expenses were cut down. But even now the expenses of that Improvement Trust are something like Rs. 84,000 a year on establishment. In other cases it is over a lakh or a little more on the establishment. It appears to me that when these Improvement Trusts were created some initial mistakes were made in fixing the salaries of the officers and in having a very heavily-paid staff for running them and that seems to be at the bottom of the present condition of the Improvement Trusts. Of course in the beginning Cawnpore had a highly-paid chairman; it had a chief engineer, it had a consulting engineer, it also had a valuation officer, a land management officer, an assistant engineer and a secretary and other establishment of various kinds. Considering that the business of the Improvement Trust is merely to acquire land, to frame schemes for housing, then to either demolish those old houses and sell pieces of land or lease them or to

improve the land that they acquire, I think for these purposes the establishment fixed is too expensive. When the schemes are carried out within a radius of five or six miles it does not require so many highly-paid officers to conduct the affairs of the Improvement Trust. Even now in some places you will find that there is a paid chairman, a chief engineer and an assistant engineer and an executive officer, while in other places you will find, like Lucknow, you have a chief engineer, an assistant engineer, an executive officer, and an honorary chairman of the Improvement Trust. I am reminded by my friend here that in some places there are two secretaries. However, Sir, we are grateful to that public-spirited gentleman, Babu Bisheshwar Nath Srivastava, who has taken up the appointment as honorary chairman of the Improvement Trust and that will be some relief to the Lucknow Trust in the matter of expenses. But the experience of the last three or four years would show to the Hon'ble the Minister and other members of this House that we have started from the very beginning on a wrong track in fixing very high salaries for the officers. Probably an officer from the Provincial Civil Service on a thousand rupees a month, with a district engineer on six or seven hundred would have been quite enough to run these shows and one consulting or a chief engineer for all three Improvement Trusts would have been enough. But it was designed otherwise. When we find, Sir, that the chief engineer of the Government can look after the buildings and roads of 52 districts, I do not see the necessity of having a chief engineer for every Trust because you will not find, Sir, every day a new scheme coming forward. A scheme has first to be designed and then to be carried into effect. So far as the Cawnpore Trust is concerned, we have got a very large number of schemes worked out in detail which will take ages to work through or to put into practice. So that from the expenditure that has so far been incurred on the Trusts it will be found that we have really spent sums three or four times more than we ought to have spent. The present condition of the Trusts is such, as appears from the report of Mr. Grant, that even if Government were to finance these Trusts for the next seven years—in one case he says to the extent of 300 lakhs in the other case to the extent of 62 or 63 lakhs, even then he says that after spending 300 lakhs the Trusts will not yield as much as four lakhs a year. So that from the report of Mr. Grant it is perfectly clear that these Improvement Trusts are in a hopeless condition. They have swallowed up all the grants that were given to them, which were of course free grants. They are not in a position to pay interest; they are not in a position to pay back any instalment. The question is now, how these Improvement Trusts should or ought to be run later? Of course, Sir, as I submitted in the beginning, the Council has no control over their budgets, but the Hon'ble the Minister has got full control over their budgets, and if he finds that these bodies do not make themselves self-supporting and these bodies are not in a position to give the full return for the grants they receive from Government and are not in a position to run more economically, I think that the Council will be justified not to give any grants and the Hon'ble the Minister will be justified not to assist these Improvement Trusts any more. So far as the affairs of Cawnpore go, I know that the heart of the town has not been touched at all; in fact the city proper has not been touched. Any improvements that are said to have been done consist merely in acquiring land and in developing and

[Rai Bahadur Babu Vikramajit Singh.]

improving it. Pieces of land have been acquired and these pieces of land lying outside the town proper have been levelled. Very large sums of money have been spent on levelling these pieces and putting sewer and water mains under the ground, when as a matter of fact it will be found that no water connections are available, and these hidden treasures have remained under the ground lying idle, doing absolutely no work. It will also be found that something like Rs. 5 to 6 thousand an acre has been spent in improving the land. I think that it could not have been the intention of the legislature by putting this Town Improvement Act on the Statute book to make the cost of land so dear as to make it almost impossible for the people to purchase land for putting up buildings. If the land has been acquired at Rs. 500 an acre and Rs. 5 to 6 thousand per acre has been spent on improving the land, it will be impossible for the Trust to sell that land for less than Rs. 7 to 8 thousand per acre and the Trust will find it very difficult to dispose of such land. So that it appears that here too there has been a mistake in spending very large sums of money merely on improving the land. The Trust ought to have taken up and tackled the city question first. They ought to have tried to remove the congestion. They ought to have taken up one or two mohallas and acquired them and demolished them and put up the land for sale, so that houses might have been put up which would have given better habitation and which should have improved the sanitation and would have reduced the appalling death-rate in those large towns. But it appears that nothing of this kind has been done. In fact, I can cite an instance of Cawnpore, where before the creation of these Improvement Trusts the improvement of a mohalla was made, namely, the Meston Road, which was taken over by the municipal board at one time, and it was put under Rai Bahadur Awadh Behari Lal who was the Executive Officer on Rs. 1,000 or Rs. 1,200 and with an expenditure of two to three lakhs that mohalla was put in order and we find that that is the best road in Cawnpore. But with an expenditure of Rs. 50,00,000, which has been up to date incurred by the Improvement Trust of Cawnpore, not a single mohalla has been touched, not a single new street has been opened in the city, and all that has been done on the outskirts remains absolutely unutilized and absolutely idle. Therefore it is a very serious question to be considered as to what should be the future of the Improvement Trusts. I do not there propose that these Improvement Trusts should be at once wound up, because large sums of money of the Government are at stake. But what I do submit is that very careful scrutiny should be made of the various schemes of the Improvement Trusts in order to find out how these schemes could be profitably completed and every possible economy ought to be exercised in order to reduce the expenditure of these Improvement Trusts, which, I submit, have very heavy expenditure, the minimum scale. These Improvement Trusts will die a natural death if they are going to spend money at the rate at which they are spending now. There is no chance of their spending on establishment alone Rs. 80,000 to Rs. 1,00,000 merely for the purpose of acquiring some land or selling some pieces of land or improving others. This, of course, I submit, does not require such a highly paid establishment and it can be managed by an officer who combines in himself the post of an executive officer as well as that of an engineer. There is also a suggestion in the report of Mr. Grant to have these three Improvement Trusts

combined into one under one chairman of the Improvement Trust and he thinks that if there is one chairman to guide these three Improvement Trusts and one consulting engineer, in that case one other officer in each Improvement Trust will be needed and that will very largely curtail the expenditure of the Improvement Trusts. Of course various other suggestions have been made—whether these Improvement Trusts should be put under the municipal board or whether they can be put under an honorary chairman in various places. These are matters for the consideration of the Hon'ble Minister and I hope that he will be able to appoint a strong committee to go into the affairs of these Improvement Trusts in order to see how economy could be effected in these various Trusts. But so long as economies are not effected, so long as these Trusts do not put their houses in order, we are perfectly entitled to withhold the very large sums of money by way of grant which we have been giving in the past. I find that this money has not been well and fully utilized for the purpose of improving the towns and consequently it will be no use our going on lavishly spending money by way of grants to these Improvement Trusts and it is with this object in view that I have brought my motion, not to omit the entire grant but to reduce it only to one lakh, so that this sum, if necessary, could be distributed between the three Improvement Trusts as a sort of assistance towards carrying out the business of the Trust. It will be found from the report of Mr. Grant, the special officer, that these Improvement Trusts have got land and movable materials, and they could, by disposing of the land and unnecessary movables, carry on their work. I may also be permitted to point out that so far as the Cawnpore Improvement Trust is concerned they have purchased materials worth 11 lakhs, most of which is absolutely unnecessary and it is to be sold at less than 50 per cent. of the cost prices; some of it has been broken up and some has to be sold. I do not know why such a large quantity of material which could not be utilized during the last four years and is not going to be utilized was purchased and is ready for disposal. So that we ought now to profit by our waste and extravagance in the past. We should see that in future we do not throw away the good money of the tax-payer for these jobs which have not proved to be profitable. I do not say that the towns should not be improved. Of course I stand for their sanitation, for better housing and for improving them generally; but what I do contend is that the opportunities in the past have not been properly utilized and therefore we have our own misgivings, and I submit that unless those moneys are properly safeguarded, unless those moneys are spent in the right way, we should not throw away our money in the way we have been doing in the past.

The Council here adjourned for lunch.

The Council assembled after lunch, the Deputy President was in the chair.

Nawabzada Muhammad Yusuf: I have listened with rapt attention to the detailed and exhaustive survey of the drawbacks of the Improvement Trusts made by my friend the member for Cawnpore. I am glad that at the very outset he has made it perfectly clear that he does not want these Improvement Trusts to be abolished. He fully realizes that in the interests of the amenities of life and the comfort of

[Nawabzada Muhammad Yusuf.]

the public, in the interests of the hygienic and sanitary condition of the people these Improvement Trusts must exist. I agree with him that the money granted to the Improvement Trusts has not been well utilized, and that we have got to pause and consider as to whether we should go on granting large sums of money to these Improvement Trusts. But, Sir, we must not lose sight of the fact that the Council, as has been already admitted, can exercise little control over the minor activities of the Trusts. For all we can do is to give our clear cut ideas about the improvements we want them to carry out, while it is their duty to carry them out in detail. My learned friend has said that we should reduce the amount to a minimum, viz., that it should be reduced to a lakh. From four lakhs to a lakh. I am afraid I am unable to see eye to eye with my learned friend there. I do admit that four lakhs is too large a figure having regard to the financial stringency of the province, but at the same time I am bound to say that a lakh will not suffice, and we are likely to cripple the activities of the Trust to such an extent that in the long run it will not prove profitable. My friend the mover has referred to the recommendations of Mr. Grant and has quoted figures. But he has not mentioned that Mr. Grant strongly recommends that these Improvement Trusts should continue and that if we really wish to make these investments a paying affair we must go on investing, though cautiously and slowly, and in the long run these Improvement Trusts are bound to pay and we are bound to gain if we have patience.

Now, as has been said in the report of Mr. Grant, we have laid out about 88 lakhs. We are also aware of the fact that if these grants are given year after year and the Improvement Trusts go on laying out money the figure will amount to three crores by the end of 1930. And it is also clearly given out in the report that the non-recurring returns by the end of 1930 would probably be somewhere about Rs. 90 lakhs and odd and the recurring returns would be somewhere about Rs. 3 lakhs and odd. No doubt this sum of Rs. 3 lakhs and odd would really be a very small return indeed; but if we stay our hands and if we really stifle these Trusts, in the long run we are bound to lose very heavily indeed. Therefore we have got to go ahead with these schemes. But the schemes ought to be so altered that they might be carried out on most economical lines. We might reorganize the Improvement Trusts, we might have curtailed programmes, we might have sounder schemes which will give quick and ready returns; but it is the height of folly to cripple these departments to such an extent that they may not be able to ever go ahead. Therefore, having regard to the circumstances of the case made out by my friend, the mover, viz., that these Improvement Trusts have not applied the money advanced to them to the satisfaction of the public and that they have really absorbed the major portion of this sum on establishments, and that the duties which they are supposed to carry out have not been carried out to the satisfaction of the public—having regard to these circumstances I would certainly wish that the grant be curtailed; and that our emphatic views be conveyed to the Trusts that we do not approve of the way in which they have been proceeding in the matter and that they ought really to carry out greater economy and have such schemes before them which will not involve very heavy expenditure and which will yield quick returns without locking up large

amounts of money unnecessarily. Bearing these facts in mind, I would move an amendment to the amendment of my friend Mr. Vikramajit Singh. I move, Sir, that instead of Rs. 3 lakhs, 2 lakhs be reduced. The object of moving this amendment to the amendment—

Rai Bahadur Babu Vikramajit Singh : To the motion.

Nawabzada Muhammad Yusuf : The object of moving this amendment to the motion is that I think the figure of Rs. 1 lakh will be very small indeed having regard to the fact that this sum has got to be divided between three Improvement Trusts and that the amount of Rs. 2 lakhs will not be too much for the three Improvement Trusts.

The Deputy President : I take it that the honourable member's amendment is to substitute Rs. 2 lakhs for Rs. 3 lakhs in the motion of Rai Bahadur Vikramajit Singh, i.e., that the item of Rs. 6,12,000 (60A—Other provincial works not charged to revenue) be reduced by Rs. 2 lakhs for Public Health. That is the amendment?

Nawabzada Muhammad Yusuf : Yes, Sir.

Raja Suryapal Singh : I do not know if I would be able to move my motion. In case I am unable to move it I would support the motion of my honourable friend the mover Rai Bahadur Babu Vikramajit Singh. Would I be able to move the motion next to this?

The Deputy President : Which item does it refer to?

Raja Suryapal Singh : The same item, Sir.

The Deputy President : Then you should support this.

Rai Bahadur Vikramajit Singh : The honourable member wishes to support the original motion. Therefore I think he can speak on it at this stage.

The Deputy President : Yes.

Raja Suryapal Singh : I support the motion.

Lala Mathura Prasad Mehrotra : I rise to support the motion moved by Babu Vikramajit Singh as amended by the Nawabzada Sahib. I am not in favour of the total abolition of the Improvement Trusts, but I realize that they are not doing as much good as they ought to do or to the extent we are spending upon them. Therefore I come forward with a suggestion for the Hon'ble Minister's consideration, and it is this, that all the three Improvement Trusts should be combined into a limited company with power to co-opt others on the analogy of the United Provinces Electric Supply Company. In that case I think they will prove more useful and will be a boon not only to the citizens of Lucknow, Cawnpore and Allahabad but also to other cities and towns which require such improvements.

Rai Bahadur Thakur Mashal Singh : I rise to oppose the motion which has been moved by my honourable friend Babu Vikramajit Singh and support the amendment that has been moved by my friend Nawabzada Muhammad Yusuf. I have listened to the speech of my honourable friend

[Rai Bahadur Thakur Mashal Singh].

of the Chamber of Commerce with interest and surprise. I have always been against this lavish expenditure on these Improvement Trusts, but my ground was quite a different one. I entertain the view that these Trusts should not be given large sums of money from the general revenues at the sacrifice of rural sanitation and the improvement of rural areas. I have no bias or prejudice against the improvement of cities and towns. But what I meant, and mean now, is that there should be no charge on the general revenues on account of these improvement trusts. As to the attitude of my honourable friend Babu Vikramajit Singh I am surprised to find that in 1921 when there was a discussion about these Improvement Trusts in the budget debate he expressed his satisfaction in so many words. He said:—"It was another matter of gratification to me that a substantial amount has been given to these Improvement Trusts and I believe Cawnpore would get a fair share of it". These were his words when he spoke in 1921. In 1922 he also defended the Improvement Trust of Cawnpore against attacks made in the Council and in the same year the Improvement Trust of Cawnpore passed a resolution that less than Rs. 2,500 for the salary of the chairman would not do. I would like to read the resolution of the Improvement Trust of Cawnpore of which the honourable Babu Vikramajit Singh is also a member. It runs thus:—"Resolved that in view of the great importance of the Cawnpore Improvement Trust, the premier trust in these provinces, the nature and extent of its commitments, its undertakings and obligations as also the various schemes contemplated and already notified, this Trust is strongly of opinion that the salary of the next chairman of the Trust should not be less than Rs. 2,500 per month inclusive of all charges, as otherwise it will be impossible to secure the services of a suitable person capable of attending to the manifold duties of the Trust and successfully carrying on the various problems awaiting solution." This was the resolution which was moved in the Improvement Trust of Cawnpore of which the honourable mover is a member. Now I am surprised to find the change that has occurred in his angle of vision that he should come forward and attack the very Improvement Trust of Cawnpore so ruthlessly. There is no doubt that there has been very extravagant expenditure in all these Trusts, and particularly in Cawnpore. But I think my honourable friend and other members of the Trust ought to have raised their voice against these extravagances when they were actually committed in Cawnpore. I think before the appointment of the present chairman there was an I. C. S. chairman on the Improvement Trust of Cawnpore who used to draw about Rs. 4,000 a month—Rs. 3,000 as his pay and some sumptuary duty and other kinds of allowances which they generally get. Great economy was effected by the appointment of a non-official chairman. I think it would be rather hard and unfair to penalize the present administration for the faults or failings of the previous administration I think from Rs. 4,000 to Rs. 2,500 there is a great economy. As to the curtailment of expenditure there can be no two opinions, and I hope the Hon'ble the Minister of Education and Local Self-Government will see that every sort of economy which is possible will be made in the administration of these Improvement Trusts. I am informed that already a curtailment of 50 per cent. in the cost of administration of the Cawnpore Trust has been made, as compared with the figures of the time when Mr. Stiffe was its Chairman.

Then there is another aspect of this question that about a crore of rupees has been invested by Government in these Trusts and, if we abolish them, the Government will be a great loser. For this reason it is absolutely necessary that these Trusts should be maintained. But of course we should now see that these Trusts become solvent concerns and the money which has already been invested in them is not allowed to be written off. I hope the extravagance which has been criticized by my honourable friend Rai Bahadur Babu Vikramajit Singh, and another gentleman will be put a stop to and the Hon'ble the Minister will keep a watchful eye on these Trusts. I would also request the Hon'ble the Minister to appoint a committee to go into the whole question and to propose means of improving these Trusts which are really trusted by nobody and improve nothing. With these words I support the amendment moved by my honourable friend Nawabzada Muhammad Yusuf, and I hope the Council will accept it.

Hafiz Hidayat Husain : We have heard with gratification the humorous speech of the Raja Sahib, and in rising to support the amendment of my friend Nawabzada Muhammad Yusuf, I want to make it clear that Rai Bahadur Babu Vikramajit Singh never wanted to make a personal attack on Rai Bahadur Anand Swarup; nor did he want that the Improvement Trusts should be abolished. As a matter of fact what he advocated was that the Hon'ble Minister should appoint a committee which would go into the affairs of the Trusts. I am quite sure that it is absolutely impossible to combine all the three Trusts into one working agency because the conditions of the three cities are fundamentally different from each other. The rules which are applicable to the working houses at Cawnpore cannot apply to the social amenities of Lucknow. Moreover in Lucknow, for instance, you have got cut and dried schemes. In Cawnpore you have to create them. If my honourable friend, Babu Vikramajit Singh, passed a resolution in December, 1922, advocating a pay of Rs. 2,500 for the Chairman of Cawnpore Improvement Trust I do not think he has now advocated that the post should be made honorary. On the contrary what he submitted was that a committee ought to be appointed to inquire into the affairs of the Lucknow, Cawnpore and Allahabad Improvement Trusts.

Sir, no analogy can be drawn between Lucknow and Cawnpore. In Lucknow we have got cut and dried schemes for the improvement of the town, and consequently it is not necessary for the Chairman of the Lucknow Trust to devote as much time to the affairs of the Trust as it is in the case of Cawnpore. Besides, the present Chairman of the Lucknow Trust can afford to carry on his duties gratis; he has got a large practice at the bar and an executive officer at the Trust to help him; while in Cawnpore we have no executive officer. Therefore, it would be impossible to apply the same rules and procedure to all the Improvement Trusts as some of my friends seem to suggest. I would, however, like to reduce the grant to the Improvement Trusts from four lakhs to two lakhs, and in addition would request the Hon'ble Minister for Local Self-Government to appoint a committee in order to find out ways and means which will be conducive to the best interests of the Trusts.

A suggestion has been made that these Improvement Trusts might be handed over to the municipal boards. Speaking from my personal experience of the Cawnpore municipal board, I can say that this device

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would be entirely unsuitable. As it is, that Board cannot go through the whole programme of the meeting in a day : half of it can barely be done in the course of a day. That being the state of affairs in the Cawnpore municipal board, which I suppose is also the case with the other two boards of Lucknow and Allahabad, at any rate with the former, judging from the condition of the roads in Lucknow, I submit that it would be suicidal to transfer the functions and the commitments of these Trusts to the municipal boards. The Improvement Trusts must be maintained, though, undoubtedly they need to be overhauled in order to run on more efficient lines.

Thakur Hanuman Singh : I rise to support the amendment which has been moved by my honourable friend Nawabzada Muhammad Yusuf. Much has already been said in support of it, and so I will try to be very brief with my remarks.

I understand that the Government has entered into an agreement with the paid chairmen of the Trusts. I do not know what that agreement is, but I cannot help expressing the feeling that if there were none of that sort and if the chairmen would vacate their offices, some patriotic gentlemen would be forthcoming to place their services at the disposal of the Trusts without any remuneration, just as the chairman of the Lucknow Improvement Trust has already done.

The other point which I wish to bring to the notice of the Council is that as soon as possible the Hon'ble Minister for Local Self-Government may appoint a committee consisting of at least two non-officials and three officials from amongst the members of this House to inquire in detail into the working of all the Trusts and to suggest ways and means which would make the working of the Trusts cheaper than at present. Such an inquiry will help the Hon'ble Minister in chalking out his own policy in relation to the Trusts.

Lieut. Raja Durga Narayan Singh : I had no mind to speak on the motion, but the remarks that have been made in regard to the Cawnpore Improvement Trusts have compelled me to do so.

I have heard with great grief the history which the honourable member for the Chamber of Commerce narrated to this House, and I do not think that there will be anybody in this House who will allow the money to be spent so lavishly on these Trusts. In the interest therefore of the public and good Government, I request the Hon'ble Minister for Education and Local Self-Government to look carefully into the matter so that the money may not be spent on the Improvement Trusts so lavishly as it has been done in the past. To my mind, in order to investigate into the affairs of the Trusts, a strong committee is essential which will command the confidence of the public. I do not wish to take more time of this House, and I would support the motion of my friend the Nawabzada Sahib.

Raja Indrajit Pratap Bahadur Sahi : I rise to support the amendment moved by my friend the Nawabzada Sahib. As a layman I am not expected to say much on this subject. But I see from the discussion on this motion that the Improvement Trusts do not command the confidence of the public. Of course no sensible man can ever say that anything in the way of improvement should be done away

with. We certainly welcome improvement of every kind. These Improvement Trusts are inclined to support big towns, and people living in the interior do not appreciate their value. The three cities of Allahabad, Cawnpore and Lucknow have more or less swallowed up the grants paid to them. I however think that the reduction proposed by the honourable member from Cawnpore is rather a big one, and I would therefore support the amendment of my friend Nawabzada Muhammad Yusuf. While we greatly appreciate and are greatly amused to hear the humorous and most interesting speeches of my friend the Raja Sahib of Maurawan there is one thing which lacks information. The Chairman of the Cawnpore Improvement Trust, our late Deputy President, was in a way attacked, but my honourable friend the mover withdrew that attack later. But there is another point which he referred to in his speech, and it was that the chairman belongs to a party which is opposed to the zamindars. I am afraid this goes too far. I do not think it is justifiable to refer to it in this debate. Zamindars have in fact no enemies. There may be some individual zamindars who may have enemies in their private capacity or in their tenantry, but zamindars as a class have no enemies. No sensible party will ever be opposed to them. They are in fact prepared to serve and serve whole-heartedly any party which really does want the improvement of the country and which does something substantial for the welfare of the country. I have nothing more to say and I whole-heartedly support the amendment moved by Nawabzada Muhammad Yusuf and I hope that the Council will accept it.

Raja Sri Krishna Dutt Dube : I had no mind to speak on this motion because so many honourable members had given their weighty opinions on the point, but at the same time I think that these Improvement Trusts are very necessary for the health of the people. I ask the honourable members who have not realized the utility of these Trusts to go to Gol Darwaza of Lucknow and to Colonelganj at Cawnpore and they will realize what are the conditions there. I also think that the amount which is laid down in the budget is excessive. I, therefore, support the amendment of my honourable friend Nawabzada Muhammad Yusuf who has explained the whole situation. I, therefore, request the Hon'ble Minister for Education and Local Self-Government to accept our weighty opinion on this matter. At the same time I request my friend Babu Vikramajit Singh to consider and be merciful to the Trusts and to withdraw his motion.

Pandit Sri Krishna Dutt Paliwal spoke in Hindi and said that he simply wanted to tell the Council what the opinion of the people was about Improvement Trusts for whose benefit they were constituted. He said that the public have no confidence in the Improvement Trusts and that the Trusts are not likely to do any good. He did not deny that Improvement Trusts could do good, but he contended that the manner in which they were being worked was not conducive to public good. Instead of doing good they were creating a lot of mischief by pulling down the houses of the poor.

Rai Bahadur Lala Sita Ram : It was only the other day that on the excise demand the very name of excise perhaps excited some poetry in our prosaic life. I find that the very mention of Town Improvements today has given exercise to our lungs to a certain extent. So if it would

[Rai Bahadur Lala Sita Ram.]

be only for that, I should be an advocate of the retention of these Town Improvement Trusts, but there are other serious reasons which we have to consider. It is agreed on all hands that a good deal has to be done for our population in these towns. A good deal, I admit, has also to be done for the population in the rural areas, but as towns are the modern plague spots and as epidemics, I think, begin generally from the towns, it is the towns which require the earliest attention. Congestion in these towns has to be removed; lanes have got to be opened into, and quarters for the poor people must be built. Poor people must have free exercise for their lungs and they must have open spaces. There must be better houses, better drainage and better lighting. All these things are the necessities and not only the luxuries of modern life. We see the result of this congestion and want of proper sanitation in spite of the huge department of the Director of Public Health. We see the result of this in our high mortality, in our birth-rate and in our death-rate. There is no serious dispute as regards the necessity or, I should say, the urgency of taking the improvement of these towns into hand. The only question is how that is to be done. What is the agency that has got to do it? Whether it should be a municipal board or it should be a trust or a committee created *ad hoc* or by means of a certain statute. Constituted, as the boards were, in the pre-reform times, perhaps the boards of those days were not philanthropic enough and public-spirited enough on account of the vested interests created to take the improvement of these towns into their hands unaided. That is why perhaps the legislature of 1919 enacted the Town Improvement Act and these Trusts have been constituted in pursuance of that Act. I take it that there is no bar against the municipal boards who may have a mind or who may have an inclination or who may have funds taking the improvement of certain quarters of the town which require attention into their hands. I think there is no such bar. But these Trusts were created for specific purposes. These Trusts were created for the object which I mentioned a little while ago, and that being the case, the question now is, if these Trusts have launched into expensive schemes, if these Trusts have got a huge and costly establishment, are we to continue them, are we to mend them or are we to end them? Should we end them entirely, as it is so often said, because we cannot mend them? I fear, Sir, there is a saying "the sins of fathers are visited upon the children". It appears that the present successors of the Improvement Trusts are reaping the whirlwind sowed by their predecessors some time ago. Their predecessors, for reasons right or wrong, with the consent or without the consent—I cannot say which—of the members composing those Trusts, launched into those schemes. They may have been expensive schemes, they may have been unremunerative schemes, they may have been wasteful schemes, I cannot say. I personally have reason to believe that most of these schemes—well I will not say most—some of these schemes have been of an absolutely wasteful and unremunerative character. But are we or are we not willing to give another chance and another opportunity to the present Improvement Trusts? If we are willing to give them another chance, if we are willing to give them another opportunity of removing the evil and of going about their business in a proper manner, we must give them some sort of help. I am not an advocate of costly establishment;

it must be cut down and cut down ruthlessly even. I do not say that the Improvement Trust at Allahabad, at Cawnpore or at Lucknow should maintain in their payment executive officers, land acquisition officers, chief engineers, assistant engineers and all the huge paraphernalia. We have absolutely no desire to have another bureaucracy or to have any other 'crazy' of any kind whatsoever at Cawnpore, at Lucknow or at Allahabad in the guise of Improvement Trusts, but perhaps something can be done by improving the constitution of these Trusts. If the personnel is of a proper kind—I think now the Municipal Boards have got a right to send their representatives to the Improvement Trusts, not now, but under the Act they have a right to send their representatives—if these representatives of the Municipal Board together with the representatives of the public exercise their influence, their beneficial influence, in the right direction to check the wasteful tendencies of their salaried officers, I think it could be fruitful of good. The Municipal Boards can at the same time side by side take into their hands congested localities and show to the Improvement Trusts that things can be done in a cheaper and better manner by public-spirited gentlemen. That being the case, I do not say that the Trusts should be ended at once. After all, we have got certain investments, certain investments have been made: they were made by our predecessors. According to the report of Mr. Grant these commitments extend into several lakhs. Then shall we waste these lakhs? True, we should not pay anything to these Trusts to keep only their establishment going; we must tell them in as definite a language as possible that their schemes must be self-supporting so far as they can, that they must not undertake unremunerative and wasteful schemes into their hands, that they must not go in for purchase of stores in England, that they should not build tracks, railway lines, tram-cars or things of that kind, but that they should live within their means and living within means they should bring the necessities of modern life at the doors of the poor and necessitous.

I have been at Cawnpore and I am afraid that some of the schemes undertaken are of an absolutely wasteful character: for example, huge pits, all extending into several acres of land, were filled up at a cost of several lakhs of rupees, lakhs which come out of the sweat of the brow of our poor countrymen. I am filled with shame really that such things should have been done or should have been permitted by any responsible Trust. The Cawnpore scheme may be remunerative in future, I cannot say, but it cannot be remunerative unless lakhs and lakhs are still invested over water-supply and drainage in that tract. But leaving that question we are all liable to mistake, we are human beings, we do commit mistakes, mistakes have been committed; then what should be the remedy. Should for these mistakes the Trusts be killed outright or shall we give them another opportunity? I, Sir, belonging as I do to the mending school of thought am inclined to think that we must give them another opportunity and if they do not mend their ways, if they do not cut down their establishment, if they persist in going on with their wasteful schemes, ours will not be the responsibility, theirs will be the responsibility and they must take full responsibility for it. My friend from Hardoi said something about my friend from Cawnpore. My honourable friend from Cawnpore is quite a formidable gentleman and can well take care of himself. But I think, Sir, if people change their

[Rai Bahadur Lala Sita Ram.]

opinions there is no sin in it. If he held one opinion in 1921 and a contrary opinion in 1924 why should we pin him down as in the law of estoppel? Lawyers can easily get out of a tight corner and I have no doubt he will get himself out clean. It may be that, moderates as we are (We believe in the realization of self-government by progressive stages) my friend may have thought that the then chairman of the Trust got Rs. 4,000 that the next chairman would get Rs. 2,500 and probably eventually it would be an honorary chairman. It may have been that. But change is the law of nature and in this case he has changed his opinion on the welcome side. My honourable friend's object perhaps is not to deny or to reduce all supplies to the Improvement Trusts but he thinks perhaps that they should be amended and that another opportunity should be given them to take steps in the right direction. That object being served I hope he will see to it that these Trusts are still maintained and no harm is done to our investment in them—that our investment is not wasted.

Babu Bhagwati Sahai Bedar spoke in Urdu.

The Hon'ble Rai Rajeshwar Bali : I do not propose today to enter into a discussion on the shortcomings or otherwise of the Improvement Trusts. Neither shall I discuss the points that have been raised by honourable friend the mover of this resolution and other friends. All I wish to say about them is that I shall bear them in my mind and shall give them the fullest consideration. My own position in regard to this matter is this. I have tried to examine on the spot the operations that have been carried on, and the operations that are to be carried on, but still there are so many difficulties to be solved, there are so many points of policy to be settled, that up to this time I have not been able to come to any final decision. These large questions cannot be solved by a stroke of pen. Therefore, for the present, I would only confine myself to saying this—that I am as alive as the mover of this resolution, to the fact that the interests of economy must always have the upper hand. I am as alive as he is that under none of my departments there should be any waste. To go into all these questions, as has been suggested by many of my friends, I am ready to appoint a committee, and as an earnest of my desire that I really want to practice economy I am willing even to accept the amendment moved by Nawabzada Muhammad Yusuf. With the two lakhs that will then be left to us we will try to go on till such time as we can come to a final decision as to the future policy we are going to adopt.

The Hon'ble the President : Resumed the chair.

The amendment of Nawabzada Muhammad Yusuf that 2 lakhs be substituted for 3 lakhs, was put and adopted.

The amended motion was proposed for discussion.

Dr. Ganesh Prasad : I have not, Sir, an intimate knowledge of any of these three cities in the United Provinces each of which has the good fortune or misfortune to have an Improvement Trusts in it. All that I know of an Improvement Trust comes from my residence in the city of palaces—Calcutta. But conditions in Calcutta are so very different from conditions in these provinces that what may be good for a rich city like Calcutta, I venture to say, without meaning any disrespect to any of the cities of the United Provinces—

may not be desirable in these provinces. I may venture to say that some of the observations I am going to make may be ascribed to my want of intimate knowledge of the personalities connected with the Improvement Trusts. But it seems to me, Sir, that history repeats itself and I have got here the proceedings of the meeting of the Council held on the 20th March, 1923. This morning I went into those pages with some care and I think that almost everything that was said on that date has been more or less said again today. But what causes me most concern is that this Council, for which I have the highest respect, seems to be inclined to shelve its responsibility today. The Council must face this fact that at the time the Trusts were established the angle of vision of the powers to be was entirely different. The idea was that Cawnpore was to be the Manchester of the future and with this idea fixed in the mind of the Government or of those associated with the Government, it was considered desirable that some thing like two crores might be lent to Cawnpore alone. Those were days immediately after the armistice days in which dreams were dreamt which naturally have not been realized. Therefore the first thing we must face is that circumstances have turned out to be entirely different from what we imagined them to be when these Trusts were brought into existence. It is no use blaming Mr. A, or blaming Mr. B, or blaming Mr. C. Unfortunately or fortunately I happen to be more or less well acquainted with all the three gentlemen who are chairmen of the Improvement Trusts, and I may just mention here without any kind of irrelevancy that they are not particularly friendly with me. For that reason I would be very guarded in my observations today. I have not the slightest intention to make any kind of personal attack on any of my caste men Babu Bisheshwar Nath Srivastava, Rai Bahadur Anand Swarup or major Ranjit Singh, but I stand here simply to say that the interest of the tax-payers should be properly kept in view. I find, Sir, that certain figures are very eloquent. The taxpayers have given freely as much as 29 lakhs to these Trusts and they have also lent about 44 lakhs. It seems to me that there is very little chance of the tax-payers seeing again in the next 40 or even 100 years these huge sums of something like 73 lakhs. Is this not a sufficiently important fact to make the members of this honourable House look into this matter with more care than, if I may say so, has been done hitherto? I do not know why this particular figure of two lakhs should be fixed upon. Why not three lakhs? Why give two lakhs and not only one lakh? We have some reason to congratulate ourselves that the Hon'ble Minister for Local Self-Government has decided to appoint a Committee, but I believe his predecessor Pandit Jagat Narayan was also willing to appoint a Committee on certain conditions. I have got the minutes of 1923 here; I believe that in 1923 a great deal of heat was generated when the desirability of a committee was mentioned first; but later on in the course of the debate the atmosphere cleared up and I find that the Hon'ble Minister had no objection to a Committee being appointed. What I wish to place before this House is that we are an essentially poor people. It is perfectly true that we do try to imitate people who are richer and who are more fortunate. There is no mincing this matter. Those men who cannot find sufficient money to live from day to day are perfectly willing to ape the manners and imitate the habits of those people each of whom can afford to throw away in one day the average earnings of the power set in a full year. We must therefore be on our guard.

[Dr. Ganesh Prasad.]

in trying to imitate the habits of richer people. Personally, I think that countries like England and even Germany can afford to have Improvement Trusts, but here in India we cannot have them with any great advantage to ourselves except in such cities as Calcutta and Bombay. Even in Calcutta the Improvement Trust is a most unpopular body, and what the Improvement Trust was in the time of Mr. Bompas is not what it is today. It has dwindled down to about one-twentieth of what it was. Probably the best course would be to bury these Improvement Trusts and some other arrangement ought be made for the improvement of towns. I am not in sympathy with the suggestion that may be made that the duties of the Improvement Trusts should be handed over to the Municipal Board. I am very sorry to say that I find that the condition of the roads in certain cities of the United Provinces is disgraceful. I belong to Benares as well as to Calcutta and I may assure my honourable friends here that many a little village in England or Germany may be considered to be a more desirable place than Benares, the Mecca of the Hindus in the matter of roads, water-supply, etc. What is true of Benares is also true of other towns, such as Lucknow and Allahabad. I will wind up my observations by saying that the municipal bodies in this province have not discharged their duties to the satisfaction of the public and of the tax-payers. Therefore it is no use saddling them with additional responsibilities. I believe that the only course open to this Council is to show its disapproval of the activities of the Improvement Trusts clearly by making a substantial cut. I am not much in favour of a cut of 2 lakhs and things like that, I should have very much liked that the cut proposed by my friend Rai Vikramajit Singh Bahadur had been accepted, but as the proposal before the House at present is that we should reduce the demand by two lakhs there is nothing for me but to support it. At the same time I hope that the Committee which the Hon'ble Minister is going to appoint will be a very strong Committee and that it will look not to the interest of individuals but to the greater interests of the improvement of towns.

Rai Bahadur Babu Vikramajit Singh: I am very much gratified by the way in which the principles which I have enunciated have been received in this House. I maintained that there had been a great deal of unnecessary expenditure in the past and that we ought to profit by it in the future, and the Hon'ble the Minister should look into it more closely. All that has been accepted by every member of the House who has spoken on the motion. The only difference has been that while I moved for a reduction of three lakhs, my honourable friend Nawabzada Muhammad Yusuf and several other members of this House wanted to reduce the grant by two lakhs. It does not, however, matter whether the Council accepts a figure of three lakhs or two lakhs for a reduction. All that I wanted was to bring to the notice of the Hon'ble the Minister and the House the matters as they stood. There is one point of personal explanation which I want to offer. My honourable friend from Hardoi has not done justice to me either in interpreting my speech or in trying to confront me as to the opinions that I held formerly.

The Hon'ble the President: Personal explanations cannot be made except at the time which called for them.

Rai Bahadur Babu Vikramajit Singh : Can I not answer those remarks at this stage ?

The Hon'ble the President : The arguments may be answered.

Rai Bahadur Babu Vikramajit Singh : My honourable friend from Hardoi quoted the opinion that I held in 1921. He said that at that time in the budget debate I expressed that I was gratified as to the grant that was made to Improvement Trusts, as I thought that a share of that grant would go to Cawnpore. I never said, Sir, that I do not like these Improvement Trusts or that I do not like the improvement of the towns. I really said in my speech that I liked the towns to be improved. All that I said was that there should be economy. Up to 1921, when I expressed my opinion, the Trusts had only just begun : I never knew what the Trusts were going to do. I was not a member of the Trust and therefore I thought that the money which was being voted by the Council would be utilized for good purposes. Therefore I submit there is absolutely no difference between the opinion that I held in 1921 and that which I hold now. I further submit that in my speech I never advocated the abolition of the Trusts. I never advocated the removals of any chairman of the Trust. All that I wanted to say was that the matter should be gone into carefully and that it should be seen as to how in future these Trusts could be worked economically. It was also said that in December 1922 I was a party to the resolution whereby the pay of the chairman of Improvement Trusts was fixed at Rs. 2,500. Of course I am surprised how my honourable friend from Hardoi got the unpublished resolution which he has quoted here, but all the same, he appears to have got it. I submit that at that time we were reducing their pay from Rs. 4,000 to Rs. 2,500, and I could not help voting with the majority who thought that a reduction from Rs. 4,000 to Rs. 2,500 was a good reduction. Then I can say that from the latter part of the year 1922, when I went into the Trust. I got an expenditure of one lakh reduced on the establishment alone, and therefore I thought that I was fortunate in getting this reduction. But when I had more insight into this Trust, I found that there was further room for economy and retrenchment. I think a man always grows wiser by understanding things properly and examining them closely and consequently there is absolutely nothing in my attitude which I entertain now which I did not entertain then. The amendment which has been moved by the other side of the House is quite acceptable to me and I have nothing further to say on it.

The motion that the demand be reduced by two lakhs was put and adopted.

The net demand of Rs. 14,33,120 was then put and adopted.

The Hon'ble the President : Before we adjourn I have to announce that the Government have allotted for non-official business the 2nd, 3rd and 4th of April. I will hold a ballot on any day that is convenient to members. During the budget discussions it is difficult to find a free day for holding a ballot. If members have no objection, I propose to hold the ballot next Sunday the 16th at 11 o'clock.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Friday, 14th March, 1924.

THE Council met in the Council Chamber, Lucknow, at 11 a.m.
The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Balli.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. A. B. Reid.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad Ejaz Rasul Khan.
Raja Bahadur Brij Narayan Rai.
Mr. H. C. Desanges.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Sakseena.
Babu Damodar Das.
Rai Bahadur Lala Sita Ram
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Lala Babu Lal.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.
Rai Bahadur Pandit Kharagjit Misra.
Raja Suryapal Singh.
Babu Nemi Saran.
Chaudhri Eadan Singh.
Chaudhri Sardar Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.

Pandit Bhagwat Narayan Bhargava.
Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukum Tej Pratap Singh.
Rai Bahadur Pandit Balabendra Prasad
Tiwari.
Pandit Sri Krishna Dutt Palit.
Babu Persish Narayan Anand.
Pandit Yajna Narayan Upadhyay.
Raja Sri Krishna Dutt Duba.
Babu Dip Narayan Roy.
Thakur Hanuman Singh.
Raja Indrajit Pratap Bahadur Sahi.
Pandit Brijnath Misra.
Pandit Govind Bulabh Pant.
Pandit Hargobind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Raja Shankar Sahai.
Dr. Jaikaran Nath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Kunwar Surendra Pratap Sahi.
Dr. Muhammad Naim Ansari.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Kunwar Inayat Ali Khan.
Maulvi Obaid-ur-Rahman Khan.
Hafiz Hidayat Husain.
Mr. Masud-uz-Zaman
Nawabzada Muhammad Yusuf
Dr. Shafiat Ahmad Khan.
Sayid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Mr. Ashiq Husain Mirza.
Khan Sahib Munshi Siddiq Ahmad.
Lieut. Shaikh Shahid Husain.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Shaikh Abdus Samad Ansari.
Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Lieut. Shaikh Imtiaz Rasul Khan.
Thakur Jagannath Bakhsh Singh
Sir Thomas Smith, Kt., V.D.
Dr. Ganesh Prasad.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

RELATIONS BETWEEN THE MINISTERS AND THE EXECUTIVE COUNCIL.

* 1. **Pandit Govind Ballabh Pant:** (a) Will the Government be pleased to state if His Excellency the Governor has made any rules under section 6 (2) of the Government of India Act, 1919, for regulating the relations between the Ministers and the Executive Council?

(b) If so, will the Government be pleased to lay a copy of the same on the table?

The Hon'ble Mr. S. P. O'Donnell: (a) Yes.

(b) The answer is in the negative

POSTS NOT STATUTORILY RESERVED FOR MEMBERS OF THE
INDIAN CIVIL SERVICE.

* 2. **Pandit Govind Ballabh Pant:** Will the Government be pleased to state how many posts not statutorily reserved for the Indian Civil Service are held by the members of that service?

The Hon'ble Mr. S. P. O'Donnell: The following posts not specifically mentioned in the Government of India Act but borne on the Indian Civil Service cadre under orders passed by the Secretary of State in accordance with the rules made under the Act are held by Indian Civil Service officers:—

(1) Member of the Executive Council of His Excellency the Governor, United Provinces	...	...	1
(2) Judicial and Additional Judicial Commissioners of Oudh	...	...	2
(3) Settlement Officers	...	...	4
(4) Registrar, High Court of Judicature	...	...	1

The following posts are also held by Indian Civil Service officers:—

(1) Governor, United Provinces	...	...	1
(2) President, Legislative Council	...	...	1
(3) Income-tax Commissioner, United Provinces	...	...	1
(4) Deputy Secretaries to Government, United Provinces	...	...	3
(5) Special Officer with the rank of Settlement Officer at Gonda	...	...	1

On the other hand during the current calendar year omitting short-term vacancies no less than 28 Indian Civil Service posts will be held by officers of other services.

DIET OF PRISONERS.

* 3. **Pandit Govind Ballabh Pant:** (a) What is the average daily expenditure per prisoner on account of diet of prisoners in jails?

(b) What is the amount prescribed for undertrial offenders in police custody?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: (a) The average annual expenditure per prisoner on account of diet will be found in the annual reports on the condition and management of the jails.

(b) A definite scale of diet is prescribed in the Police Regulations. This is:—

- 10 chhataks flour.
- 1 chhatak dal,
- 3 chhataks of vegetables,
- 15" grains of rice,
- 5 mashtas of ghee,
- 1 chili, and
- 12 chhataks of firewood.

The amount to be expended on this diet is not prescribed. A special diet is also prescribed for sickly prisoners.

LICENCE FEE FOR SALE OF FOREIGN LIQUOR.

* 4. Pandit Govind Ballabh Pant: (a) What is the licence fee prescribed for the sale of foreign liquor?

(b) Does it vary in accordance with the quantity sold?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) The scale of licence fees for the sale of foreign liquor is laid down in rule 261 of the Supplement to the Excise Manual.

(b) Yes, under rule 262 of the Supplement the Excise Commissioner is guided in fixing the fees by the amount of business done under the licence.

Pandit Govind Ballabh Pant: May I ask whether there are distinct rates fixed in accordance with the amount or whether the Excise Commissioner has the discretion of fixing such fees as he considers reasonable?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I would like to have further notice.

TARAI AND BHABAR GOVERNMENT ESTATES.

* 5 Pandit Govind Ballabh Pant: Will the Government be pleased to give the following information in respect of the Tarai and Bhabar Government estates:—

- (a) Birth-rate;
- (b) Death-rate;
- (c) Average period of longevity;
- (d) Number of immigrants into, and emigrants from, the estates per year;
- (e) The incidence of excise revenue per head in 1918, 1921 and 1923 respectively;
- (f) Percentage of literates;

The Hon'ble Mr. S. P. O'Donnell: In respect of the points raised (a) to (f), no separate information is available for the Tarai and Bhabar Government estates.

Pandit Govind Ballabh Pant: Was this grant for effecting sanitary and other improvements spent through the district board or was it spent by the Superintendent of the Tarai and Bhabar?

The Hon'ble Mr. S. P. O'Donnell: I think it was spent through the Superintendent of the Tarai and Bhabar.

Pandit Govind Ballabh Pant : May I know on what objects he spent it ?

The Hon'ble Mr. S. P. O'Donnell : I am not sure ; I must ask for further notice.

* 6. **Pandit Govind Ballabh Pant :** Has the Government made any special grant during the last three years for effecting sanitary or other improvements in the Tarai and Bhabar estates ?

The Hon'ble Mr. S. P. O'Donnell : In 1920-21 Rs. 6,011 ; in 1921-22 Rs. 17,722 ; and in 1922-23 Rs. 8,047.

* 7. **Pandit Govind Ballabh Pant :** (a) Have the tenants in the villages directly managed by Government any statutory rights in respect of fixity of tenure ?

(b) Is any Tenancy Act in force there ?

(c) Can any rights of occupancy be acquired by continuous cultivation for a prescribed length of time in the estates ?

The Hon'ble Mr. S. P. O'Donnell : The honourable member is referred to section 1(2) of Act II of 1901 as modified by notification no. 3236/I—818, dated the 30th December, 1914.

EUROPEAN PRISONERS.

* 8. **Pandit Sri Krishna Dutt Paliwal :** Is it a fact that the European prisoners in the United Provinces jails, when released from jail, are booked for Europe, at the expense of the public exchequer, if they choose to go Home ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Soldiers not enlisted in India who have been convicted by civil courts and discharged from the Army are transferred as a rule before their sentences expire by troopship to the United Kingdom, or to a British possession under the provisions of the Colonial Prisoners Removal Act, 1884. There are no special rules for the removal from India of European civil prisoners.

Pandit Sri Krishna Dutt Paliwal : May I know if there are any general rules according to which European prisoners convicted of petty crimes such as theft of a cycle or watch, when released from jail, can be booked to Europe by the jail authorities ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : So far as I am aware there are no such rules.

WHEAT TO INDIAN PRISONERS IN JAILS.

* 9. **Pandit Sri Krishna Dutt Paliwal :** (1) Is it a fact that Indian prisoners in the United Provinces jails are given millet (*juar*) to eat ?

(2) Is it a fact that formerly they used to get wheat and gram combined ?

(3) Is the Government aware that millet (*juar*) is not the staple food of our province ?

(4) If the answers to (1), (2) and (3) be in the affirmative, will the Government be pleased to direct that the prisoners be given wheat and gram combined as before, instead of millet ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (1) Yes, in combination with wheat.

(2) Yes.

(3) Government is not aware that millet is not one of the staple foods of these provinces.

(4) The question does not arise.

Pandit Sri Krishna Dutt Paliwal : May I know what is the proportion of wheat to millet in this combination?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I ask for further notice.

ECONOMIC CONDITION OF THE PEOPLE OF BANKATI, TAHSIL JALALABAD, SHAHJAHANPUR.

* 10. **Thakur Sadho Singh :** Is the Government aware of the miserable economic condition of the people of Bankati tract of Jalalabad tahsil in Shahjahanpur district?

The Hon'ble Mr. S. P. O'Donnell : Government is aware that the economic conditions are not satisfactory.

* 11. **Thakur Sadho Singh :** Is it due to serious and frequent loss of crops, caused by slightest irregularities of rainfall?

The Hon'ble Mr. S. P. O'Donnell : No. It is due partly to the nature of the tract, which is cleared forest land, rendered sterile by *usar* or *reh*; partly to the fact that it is covered by floods in the rains and is very unhealthy and partly because irrigation water is held up by the cultivators in Budaun district for their own fields.

* 12. **Thakur Sadho Singh :** Is it a fact that several times schemes were prepared for providing *pakka* bunds across the Sot river running through that tract?

The Hon'ble Mr. S. P. O'Donnell : Yes. Preliminary projects were prepared.

* 13. **Thakur Sadho Singh :** Will the Government be pleased to state why these projects were not carried out long since?

The Hon'ble Mr. S. P. O'Donnell : On account of the lack of funds and the complexity of the problem.

Thakur Sadho Singh : Will the Hon'ble the Finance Member reconsider his decision in the light of further facts?

The Hon'ble Mr. S. P. O'Donnell : As I have already told the honourable member privately I will look into this matter very shortly and see whether we cannot do something for the erection of these bunds.

* 14. **Thakur Sadho Singh :** Is it a fact that responsible officials of the Government have personally seen the locality and believed in the urgent necessity of such bunds?

The Hon'ble Mr. S. P. O'Donnell : Yes, the bunds form only a minor part of the whole problem.

* 15. **Thakur Sadho Singh :** What steps are intended to be taken now to relieve the distress of the peasantry of that tract?

The Hon'ble Mr. S. P. O'Donnell : Pending the completion of projects by the Irrigation department, *taqavi* loans will be distributed when needed.

UNSTARRED QUESTIONS.**POSTS CARRYING CERTAIN SALARIES.**

1. **Pandit Govind Ballabh Pant:** (a) Will the Government be pleased to lay a statement on the table giving provincial figures for the posts, carrying the salaries noted below, for the years 1913, 1918, 1923, and February, 1924:—

- (i) Posts below Rs. 20 per mensem;
- (ii) Rupees 20 to Rs. 50;
- (iii) Rupees 51 to Rs. 200;
- (iv) Rupees 201 to Rs. 500;
- (v) Rupees 501 to Rs. 1,000;
- (vi) Above Rs. 1,000?
- (vii) How many of the posts above Rs. 500 were held by Indians and how many by non-Indians in each of the above years?

Mr. E. A. H. Blunt: It would take some months to collect this information. In the absence of anything to show the reason for requiring it and in view of the labour involved Government are not prepared to undertake the necessary work.

VERNACULAR MIDDLE SCHOOLS.

2. **Pandit Govind Ballabh Pant:** (a) Have any vocational classes been opened in any Vernacular middle school in this province during the last three years?

(b) If so, how many and where?

(c) What are the subjects in which instruction is given in these classes?

Kunwar Jagdish Prasad: (a) No.

(b) and (c) do not arise.

3. **Pandit Govind Ballabh Pant:** (a) What is the number of Vernacular middle schools in this province and to how many of these are English classes attached?

(b) How many such classes were opened in 1923?

Kunwar Jagdish Prasad: (a) In 1922-23 there were 552 Vernacular middle schools, of which 24 had English classes attached to them.

(b) The figures for 1923-24 are not yet available.

INCOME FROM SHOOTING AND HUNTING.

4. **Pandit Govind Ballabh Pant:** (a) Will the Government be pleased to state what was the income from shooting and hunting permits in 1923?

(b) What was the expenditure over rewards for the destruction of wild beasts in 1923?

Mr. C. E. D. Peters: (a) Rupees 17,636 according to the Forest Administration Report, 1922-23.

(b) Rupees 12,785 for the financial year 1922-23.

ABOLITION OF KALADHUNGI TAHSIL, NAINI TAL.

5. **Pandit Govind Ballabh Pant:** (a) Is the Government contemplating the abolition of Kaladhungi tahsil in Naini Tal district?

- (b) When was the said tahsil established ?
- (c) What is the area subject to the jurisdiction of Kaladhungi tahsil ?
- (d) How many other tansils are there in Naini Tal district and when were these established ?
- (e) In case this tahsil is abolished, where will the headquarters of the tahsil with which Kaladhungi is amalgamated after the abolition be ?
- (f) Have any representations been made by the residents of Kaladhungi to the authorities on the subject ? Will the Government be pleased to issue orders for the retention of the tahsil in accordance with the wishes of the residents ?

Mr. C. E. D. Peters : (a) The Kaladhungi tahsil was abolished in August, 1923 with effect from 1st March, 1924.

- (b) Information is not available.
- (c) Cultivated and culturable—20,780 acres.
Forest—54,523 acres.
- (d) Eight (including peshkars). Information is not available for the other part of the question.
- (e) Ramnagar and Haldwani.
- (f) One. The honourable member is referred to the answer to part (a).

COUNCIL ELECTIONS.

6. Chaudhri Sheoraj Singh : Will the Government be pleased to lay on the table a statement containing comparative information regarding the 1920 and 1923 elections to the local Council and Assembly in the United Provinces, stating in it the number of those returned unopposed, the number of contested seats and the number of competitors for them, the number of votes polled and the percentages of voting ?

Mr. J. R. W. Bennett : Statements giving the information required in respect of the 1920 and 1923 elections respectively are laid on the table.

SECURITY DEPOSIT.

7. Chaudhri Sheoraj Singh : Will the Government be pleased to state the number of candidates who lost their security deposit on account of their not being able to secure the acquired minimum of votes ?

Mr. J. R. W. Bennett : Twenty-seven candidates for the Legislative Council and two candidates for the Legislative Assembly forfeited their security deposits through inability to secure the required minimum of votes.

IRRIGATION RATES AND REVENUE.

8. Chaudhri Sheoraj Singh : (a) From which date have the recent increases in irrigation rates come into effect ?

(b) Will the Government get increased revenue from April, 1923 to March, 1924 on two crops or only one ?

(c) What is likely to be the increase in revenue of the current year's budget on account of the increase in irrigation rates ?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

9. **Chaudhri Sheoraj Singh** : Is there likely to be any fall in the revenue from irrigation from the standing *rabi* crop on account of the rains being quite in time in the United Provinces this season ?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

ONE-ANNA STAMP.

10. **Chaudhri Sheoraj Singh** : (a) Is the Government aware that one-anna postal stamps are generally used for the purposes of general stamps without the practice being objected to by the courts ?

(b) What steps has the Government taken for diverting that portion of revenue from postal to general stamps ?

(c) Is the Government in a position to give an approximate idea of the revenue thus lost to the provincial finance ?

Mr. E. A. H. Blunt : (a) Yes. The courts are not in a position to object to the practice, which has been legal since 1906.

(b) The Central Government makes an annual assignment of Rs. 1,40,000 to this province in lieu of the revenue thus diverted from general to postal stamps.

(c) Theoretically there has been no loss. Practically there has probably been loss for the past few years, as the assignment has become too small ; but the Central Government have agreed to increase it.

It may be pointed out, incidentally, that there is no such thing as "one-anna postage" stamp : it is a "postage and revenue" stamp, and is so-called because it can be used otherwise than for postage.

MEMORANDUM TO THE PUBLIC SERVICES COMMISSION.

11. **Chaudhri Sheoraj Singh** : Have the United Provinces Government as a whole or its two parts submitted any memorandum to the Public Services Commission ? If so, will the Government be pleased to publish the text of the same ?

Mr. G. B. Lambert : The communications referred to were confidential.

PAY OF THE TEACHING STAFF OF AIDED COLLEGES.

12. **Chaudhri Sheoraj Singh** : Will the Government be pleased to lay on the table the scheme according to which the Government shares the annual increment in the pay of the teaching staff of the aided colleges ? From which date has it come into effect ? Can any special reason be assigned to differences in the case of different colleges ?

Kunwar Jagdish Prasad : (1) A statement is laid on the table of the honourable member.

(2) From July, 1920, but the scheme was modified in 1923.

(3) All colleges are treated alike, but in some cases Government have recognized higher pay for demonstrators on condition that the colleges concerned found half of the additional cost involved.

SCHEME OF PAY FOR TEACHERS IN AIDED COLLEGES.

The following maximum scales of pay for teachers in aided colleges are approved by Government for teachers in aided degree colleges for purposes of grants-in-aid :—

Principals on Rs.1,000 per mensem *plus* allowance of Rs. 220—10—250 per mensem.

Professors with European degrees—Rs. 500—50—1,000.

„ „ Indian degrees—Rs. 200—20—400.

„ „ of Oriental Languages—Rs. 200—5—250.

Demonstrators—Rs. 150—5—175.

Sanskrit Pandits and Persian Maulvis—Rs. 75—5—100 :

Provided that the grant-in-aid to the colleges does not exceed—

- (a) half of the tuitional expenditure of the college, or
- (b) the difference between the recurring expenditure and the recurring income (excluding Government grant), or
- (c) the ultimate total grant which Government sanctioned when the scheme was approved.

CHAIR OF GEOGRAPHY AT THE ALLAHABAD UNIVERSITY.

13. **Chaudhri Sheoraj Singh** : What progress has the scheme for the institution of a Chair of Geography under the auspices of the Allahabad University made? Why has the step not been taken so far?

Kunwar Jagdish Prasad : A part-time lecturer is teaching Geography in the University. The University has not yet been able to secure a suitable Professor.

BRITISH EMPIRE EXHIBITION.

15. **Chaudhri Sheoraj Singh** : What persons have been sent to the British Empire Exhibition on behalf of the United Provinces Government? Will the Government be pleased to state the principles on which the choice has been made?

Kunwar Jagdish Prasad : Messrs. Sinha and Teyen have been sent on behalf of this Government. Mr. Sinha was selected because he was considered specially fitted for the work, and Mr. Teyen for the reasons given in the reply to unstarred Council question No. 17A, dated the 30th January, 1924. Two clerks, Messrs. Muttoo and Mohsin, have also been sent.

AGRICULTURAL COLLEGE, CAWNPORE.

16. **Chaudhri Sheoraj Singh** : Will the Government be pleased to state when the Agricultural College of Cawnpore will become affiliated to the Allahabad University?

Kunwar Jagdish Prasad : The matter is still under consideration.

AGRICULTURAL FARM IN MEERUT.

17. **Chaudhri Sheoraj Singh** : (a) Will the Government be pleased to state why the project for the location of an agricultural farm in the Meerut district has not so far materialized?

(b) Will the Government be pleased to hasten its progress?

Kunwar Jagdish Prasad : (a) The project for an experimental farm in the Meerut district was not proceeded with largely owing to financial stringency.

(b) Government are considering suitable and less costly provision for experimental work in the Meerut division, and will not proceed with the project at present.

CATTLE-BREEDING CENTRE IN MEERUT.

18. **Chaudhri-Sheoraj Singh** : In view of the agricultural importance of the Meerut district, will the Government be pleased to make it a centre of cattle-breeding and seed and implement distribution ?

Kunwar Jagdish Prasad : Proposals to establish a cattle-breeding centre in Meerut were placed before Council in 1921. They were vigorously opposed by the then member for Meerut and withdrawn by Government. Another scheme for cattle-breeding was subsequently adopted, and Government do not propose to open other cattle-breeding centres until that scheme has been fully developed.

The question of establishing a seed and implement store in Meerut will be considered.

PROVINCIAL CONTRIBUTION.

19. **Chaudhri Sheoraj Singh** : Have the Government taken any steps in the recent past in connection with the heavy burden of the provincial contribution ? How far have their efforts succeeded in the matter ?

Mr. E. A. H. Blunt : Government have pressed for a reduction of the provincial contribution whenever a suitable opportunity presented itself. For the success that has attended their efforts the honourable member is referred to the Budget statement for the year 1924-25, made in the Legislative Assembly by the Hon'ble the Finance Member, Sir Basil Blackett, on the 29th February.

INDUSTRIAL SURVEYORS.

20. **Chaudhri Sheoraj Singh** : (a) What is the present strength of the industrial surveyors ?

(b) What are their special qualifications for the industrial survey work ?

(c) Have they undergone any special training for the purpose of performing their work efficiently ?

(d) Were any special instructions given to them for carrying on the last surveys ? If so, what ?

Kunwar Jagdish Prasad : (a) Six.

(b) and (c) Five of the superintendents are graduates and the sixth an L. M. E. and all received four months' training of the office in the Director of Industries before entering upon their duties.

(d) Yes, detailed instructions were given them as to the lines on which they should conduct their work.

TEACHERS OF GEOGRAPHY.

21. **Chaudhri Sheoraj Singh** : (a) Is the Government aware that Geography has been introduced as a subject for study in the Intermediate section ?

(b) How does the Government propose to meet the difficulty regarding the teachers of the subject?

(c) Will the Government be pleased to recommend to the Allahabad University or any other university that they should institute under the auspices of their various colleges special two or three months' lectures in Geography for equipping such masters of History or Economics as may desire to avail themselves of them?

Kunwar Jagdish Prasad : (a) Yes, as an optional subject.

(b) Difficulties are not likely to arise.

(c) Such facilities already exist at the Training College, Allahabad.

VOCATIONAL COURSES IN INTERMEDIATE AND HIGH SCHOOLS

22. Chandhri Sheoraj Singh : (a) Is it a fact that promises were made by the Government at the time of the passing of the Intermediate Act for the introduction of vocational courses of studies in the Intermediate and High School sections?

(b) How many such subjects have so far been introduced?

Kunwar Jagdish Prasad : (a) No promises were made, but hopes were expressed.

(b) Two ; the introduction of a third is under consideration.

THE BUDGET, 1924-25.

DISCUSSION OF DEMANDS FOR GRANTS.

Demand No. 9.

HEAD 26—POLICE.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I beg to announce to the Council the recommendation of His Excellency the Governor that under the head 26—Police a sum of Rs. 1,53,06,161 be granted, and I move that the sum be voted.

In order to explain it I beg to offer a few observations. It is very interesting for me to notice that on the Police budget up till now we have received demands for reductions amounting to Rs. 28,29,108, if they are to be accepted as they stand. It is gratifying to learn that demands for reductions amounting to Rs. 8,35,397 come from the landholders' side.

Rai Bahadur Lala Sita Ram : Several of the items on the agenda may concern the same item.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes, I know that. But I have adopted it just to examine the relative share of each party in the total number of demands.

The demands to the extent of Rs. 9,78,000 come from another quarter, I mean my liberal friends. There are only three demands under which reduction of Rs. 9,78,000 is demanded.

Pandit Nanak Chand : May I know who are the liberal friends?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I may correct myself by saying—Progressives of the late party.

Mr. Mukandi Lal : Do I understand that the word is resented ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I do not know that.

Then comes a demand from the new party, i.e. the Independent Nationalists, amounting to Rs. 10,30,000. I assure this Council that I do not resent it, I do not take it as a bad sign. I take it as a most healthy sign for the future, knowing the fact that the police has never been popular in any country and in any Legislature. But I know that the situation in these provinces is different from that in other parts, of the world. There the party in power scores on all points, and whether they personally agree or disagree they have got to vote on that side. Here in this Council we cannot expect that because we as a Government party are in a minority and shall remain in a minority as far as the question of voting is concerned. We have got, therefore, to depend upon other parties to secure their vote for the Government. I beg to draw the attention of this Council to the fact on which the future of these provinces in particular and the future of India in general depends—that the time is in sight when the past record of these Councils will be examined with a view to give us a further instalment. The case will be examined with a view to determine whether we should be treated as a first or a second or a third class province.

Pandit Gobind Ballabh Pant : What are we at present ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : We are going to be compared with other provinces in matters of policy, tact, and in actions of all sorts. We have got to prove that the long and adversely criticized system of dyarchy has proved a failure. We have got to show that we are quite competent to deal with all departments and with all questions, irrespective of the fact whether they are reserved or transferred, when the dyarchy system is done away.

Babu Nemi Saran : Do you agree ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : It will depend on one point and one alone. Will you prove that you have tactfully dealt with all departments, that you have not been carried away by mere sentiments, you have been more practical than sentimental, you never made any invidious distinction, you have not been personal—these are the points which we have got to face.

I am ready, Sir, to make any reduction which is reasonable in the budget.

My object in accepting office was never personal, and I assure the Council that I am standing here not only as a member of the Government but also as your representative. I am sure that after my retirement the people will come to know, if official secrets are disclosed, that I have honestly discharged my duties as your representative.

I put up this budget before the Council with the expectation that moderation will prevail in all the motions for reduction. I know there may be certain points on which we cannot see eye to eye with each other, but for the sake of petty considerations we should not lose sight of broader objects that we have in view. With these words I put this demand before the Council.

Lala Mathura Prasad Mehrotra : I beg to move that the demand under "Account No. 26A—Police Superintendence" be reduced by Rs. 29,000. I desire that this reduction should be made by the abolition of one Deputy Inspector-General of Police and his establishment. In the detailed budget at page 59 we find that three posts have been given to Deputy Inspectors-General of Police. Consequently if one post is reduced there will be a saving of Rs. 25,600, and adding the savings under house-rent, duty and other allowances, etc., the total comes to Rs. 29,000. The Economy Committee has also recommended the abolition of one post of the Deputy Inspector-General of Police. They say :— "Although the cost of administration is comparatively low, we are not satisfied that it cannot be reduced. We have discussed the question of Deputy Inspectors-General in our letter of the 21st of August, and the non-official majority think that only two Deputy Inspectors-General are needed for the territorial ranges. We are unanimous in recommending that the post of Deputy Inspector-General in the Criminal Investigation department should be reduced." If this recommendation of the Economy Committee is given effect to, it will result in a saving of Rs. 29,000, which is quite a substantial amount, though at the same time there is no doubt that it will also impose a little additional work on the two remaining Deputy Inspectors-General of Police which they will, I hope, not mind under the present stringency. For the reasons given, I trust the Hon'ble the Home Member will accept my motion.

Dr. Shafa'at Ahmad Khan : There are a few questions concerning the retention of the posts of Deputy Inspectors-General of Police that I should like to discuss here.

The first question is, whether these Deputy Inspectors-General are really necessary. In my humble opinion they are not. They merely act as post offices, and are indeed a barrier between the experienced superintendents of police on the one hand and the Inspector-General of Police and the Government on the other.

The second question is whether, in case the present number of Deputy Inspectors-General is reduced, the rest will be able to carry on the work satisfactorily. I admit that I have had very little experience of the internal working of the Police department, and so I speak with a certain amount of diffidence, but I am at any rate inclined to think that if the existing number of Deputy Inspectors-General of Police is reduced to three, the work will not suffer at all. The duties of the Deputy Inspectors-General of Police, as laid down in the Police Regulations, are three in number. They are :—

- (1) To inspect each district in their range at least once a year; (2) to take proper measures for dealing with outbreaks of serious crime; and (3) to dispose of appeals and revision applications from subordinates.

In actual practice, however, we find that a Deputy Inspector-General of Police very seldom visits a district more than twice in a year, and that he stays there for hardly three or four days. Then, with the introduction of the scheme about the separation of judicial and executive functions, I hope it will be possible for the Collector of the district to deal with those appeals himself which are now done by the Deputy Inspectors-General of Police.

If the rules contained in Chapter XXXI of the Police Regulations are strictly followed and punishments and prosecutions are ordered after a judicious discrimination and thorough inquiry, much of the appellate burden of work will be reduced. The Collector will be relieved of much judicial work and it will not suffer.

Pandit Nanak Chand : Have I your permission, Sir, to deal generally with the head " Police Superintendence " ?

The Hon'ble the President : So far as the question of the Deputy Inspector-General is concerned.

Pandit Nanak Chand : Not about the entire demand of 26-A ?

The Hon'ble the President : No. But this is the main item under 26-A.

Pandit Nanak Chand : Before proceeding further I would draw the attention of the House to the Indian Police Commission's Report for the year 1902-3. The question of the Deputy Inspectors-General was considered by the Commission. In paragraph 17 of their report the Commission remarked " in all provinces these officers are too few in number. Some of their most important duties are entrusted to Commissioners and District Magistrates and many of them are entirely neglected. They are practically confined to work of an unimportant character and their usefulness is consequently impaired. The Commission would therefore propose to increase their number and to place a Deputy Inspector-General in full administrative charge of a range comprising as many districts as he can reasonably be expected to control." It was, I believe, on this recommendation of the Police Commission that the number of Deputy Inspectors-General was increased. Reference has already been made by my friend Dr. Shafa'at Ahmad Khan to the duties of the Deputy Inspector-General. He has already pointed out that the Deputy Inspector-General is required to inspect every district or division at least once every year. In actual practice the Deputy Inspectors-General visit every district and division twice a year. The second important duty which is assigned to the Deputy Inspector-General is to see that proper measures are taken to deal with outbreaks of serious crime. I have not been able to understand what proper measures a Deputy Inspector-General can take to deal with outbreaks of serious crime. I have known instances where serious crime broke out and when the seriousness of the situation had drawn the attention of the Government the Deputy Inspector-General went to the spot, but he arrived there too late, having reached after the actual occurrence of the serious crime and thus a Deputy Inspector-General has never been able to check the occurrence of such crimes. I do not mean to suggest that in some cases of organized gangs committing dacoities the direction by the Deputy Inspector-General will not prove helpful or has not proved helpful in the past. To take another instance of the Bhanu gangs of which we have heard recently in this Council. There too I think as their depredations were of an organized character the Deputy Inspector-General could, and I hope he did something in checking their activities by suggesting the adoption of proper measures actually adopted on the spot by the police under the immediate direction of Mr. Young. The other duty that the Deputy Inspector-General has to perform is that he must keep up a register of dacoity, robbery and poisoning cases, etc. I think this part of his duties

is done by his establishment and does not tax his previous time. I think that if the Deputy Inspector-General could require some subordinate officer to look after this part of the work it would be done quite as efficiently as it is done at present. The last duty that he has to perform is that he should forward special reports of dacoity and robbery in all important and extraordinary cases. These reports are received from District Superintendents of Police, and the part the Deputy Inspector-General plays in the discharge of this duty is that he passes them on with or without his remarks to the Inspector-General. The question of Deputy Inspectors-General was considered by the Police Decentralization Committee which was appointed last year. I have already pointed out to this honourable House that the Police Commission thought that the work of Deputy Inspectors-General was of a comparatively unimportant character. This was in the year 1902-3. After a period of about 20 years in paragraph 5 at page 3 of the report of the Police Decentralization Committee we find the following statement:— "The written opinions which the Committee have received are unanimous in expressing dissatisfaction with the present position of Deputy Inspector-General, but contain no suggestion for any radical departure from the system laid down in Act V of 1861 and confirmed by the Police Commission of 1902-3 by which the administration of police in charge of the Inspector-General of Police as the departmental head." On page 4 the Committee remarks in paragraph 10:—"The Police Commission of 1902-3 was faced with the problem of the ineffectiveness of the Deputy Inspectors-General. In all provinces, they observe, these officers are too few in number; some of their most important duties are entrusted to Commissioners and District Magistrates and many of them are entirely neglected. They are practically confined to work of a comparatively unimportant character and their usefulness is consequently impaired. The Commission would therefore propose to increase their number and to replace the Deputy Inspector-General in full administrative charge of a range comprising as many districts as he can reasonably be expected to control." They further on say:—"The officers assert that Deputy Inspectors-General have been given too little authority and too little responsibility." One officer writes:—"Deputy Inspectors-General are highly paid officials who should be of the greatest assistance to the Government, but as a matter of fact they play a very ordinary part in the administration of the Police department and under existing rules they cannot be utilized to the best advantage. They have degenerated into peripatetic inspecting officers; their administrative powers are cramped and dwarfed."

They further go on to say:—

"The Deputy Inspector-General is at present largely an inspecting machine and he should be something more than this."

But here it is not suggested what he should be. Then in paragraph 11 they say:—

"When despite the reforms of the Police Commission precisely the same defects in the position of the Deputy Inspector-General are admitted to exist now as were discovered twenty years ago, it is not surprising that suggestions have been made in some quarters that the post should be abolished."

In paragraph 12 they remark:—

"The proposals of the Indian Police Commission have had so little result, so far as the Deputy Inspectors-General are concerned,

[Pandit Nanak Chand.]

can be attributed in no small measure to their indefiniteness. The Commission required Deputy Inspectors-General to carry on their original functions as inspecting officers, to co-ordinate the work for the prevention of crime."

A little further down they say :—

"That inspection has in recent years been over-elaborate and the inspecting officer used more as a machine for reporting defects to headquarters than as an administrator to remedy those defects himself is no proof that the police system in the province can be effectively maintained without systematic inspection. It was the full administrative charge of the range which the Commission conceived to be the major duty of the Deputy Inspector-General, and the omission to define this term of necessity resulted in the neglect of the principle which it embodied, so that the system which the Commission criticized in 1903 remains essentially the same, and is criticized now by so many officers for the same reasons."

By citing this long quotation, Sir, I have attempted to prove that the work of the Deputy Inspectors-General has been of a very unimportant character, and as their agency has not in effect produced any results in the administration of the department. One of the main duties of the Deputy Inspectors-General, as was pointed out by one of the previous speakers, is that they have to inspect the districts. I do not hold the opinion that Deputy Inspectors-General are absolutely unnecessary. I am not for their total abolition. Under the present circumstances I am for the reduction in their number, and I believe it is possible and practicable, because if the Deputy Inspectors-General are not required to spend so much time over their inspections which they are expected to carry out once at least every year for every district, or as in practice it is found twice every year, I think if out of three Range Deputy Inspectors-General only two are retained, and they are permitted to go and inspect the districts once a year or once in two years, as they consider it necessary, a considerable time of the Deputy Inspectors-General will be saved and the work which is at present done by three Deputy Inspectors-General can be managed by two only and the recommendations of Police Decentralization Committee can be given effect to without difficulty. The arrangements that have prevailed up till recently were that there were three ranges of large size and there was a fourth range which was a combined charge of the Deputy Inspector-General of Railways, which, I speak subject to correction, had about four or five districts. One temporary Deputy Inspector-General has been reduced. We have at present three Range Deputy Inspectors-General. If one of them is reduced and if their time which is now devoted to inspection is curtailed, then I think that the work that they are expected to do at headquarters will be reduced to an extent which could very efficiently be done by two Deputy Inspectors-General. With these remarks I whole-heartedly support the motion of my honourable friend, the mover, with one reservation and it is that I, would move an amendment that the amount be reduced to Rs. 100.

The Hon'ble the President : Does the honourable member wish to substitute Rs. 100 for Rs. 29,000?

Pandit Nanak Chand : Yes, Sir.

Mr. A. D. Ashdown : First of all I would like to draw the attention of the House to the fact that this budget is for the ensuing year. My honourable friend commented his arguments by saying that he hoped that when the separation of judicial and executive takes place there would be time for the District Magistrate to take over the work at present performed by the Deputy Inspector-General. I mention that point because we are dealing with the immediate present and not with the future. My honourable friend from Bulandshahr has quoted from the Police Commission's Report of 1902. Since that time a great deal of water has gone under the bridges, but so far as I recollect from my own experience it was about 1897 that the number of Deputy Inspectors-General in these provinces was increased from two to three and they were put in charge of ranges instead of being divided according to armed and civil police. The honourable Pandit has also quoted considerably from the Decentralization Commission's Report and has read out their criticisms of the work done by Deputy Inspectors-General which the members made in that report, but he has omitted to say anything regarding the changes and recommendations they made. I would inform the members of this House that those recommendations were accepted by Government in full. Their recommendations about financial powers will be given effect to from the 1st April next and other recommendations were given effect to from the 15th November. The intention of the delegation of those powers and responsibilities, which are extremely important, was to relieve the officer holding the post which at present I have the honour to hold of some of the enormous amount of routine and more or less unimportant work which at present distracts my attention from more important problems.

These powers given to Deputy Inspector-General are very full and of considerable importance. I may inform the House that it may be admitted, specially after what we have heard from the honourable Pandit regarding the criticisms passed by the Decentralization Committee, that full use was not made of Deputy Inspectors-General by the department. It has been suggested by my honourable friend that we might dispense with inspections of districts and carry them out when necessary every two or three years. I do not think my honourable friend has any conception of the necessity for these annual inspections. Now I think I have shown that at the present time, since I have taken over charge of this department, the power, responsibility and work of the Deputy Inspectors-General has been considerably increased. He is the administrator of his range for the purposes of police work. It is absolutely impossible for the Inspector-General to be in close touch with the work of all districts. That can only be done by going to the spot. When anything of supreme importance occurs the Inspector-General of Police does go to the spot, but it would be beyond possibility that he should visit many of the districts from which important events are reported. The Deputy Inspector-General of Police is the general administrator of the police work in his range, he is an expert adviser to district officials in these matters. He has to conduct his inspections and from my own experience I can assure the House that properly to inspect a police district takes at least a week of which a few days are spent in inspecting offices in the rains. In large stations like Cawnpore and Allahabad, of which I have personal experience, as I have been in charge of the II and III ranges, it takes at least a fortnight. In addition there are important inquiries which

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Government require should be conducted, and they are done by the Deputy Inspectors-General—very many in consequence of questions put in this House. During the short time I have had the honour to be in charge of the department several such inquiries have been conducted by Deputy Inspectors-General and have taken a considerable time. It would be perfectly impossible for me to do these inquiries. I have dealt with the question of their increased powers—they have been given full control over inspectors in their own ranges, they have been given increased powers of punishment, so that now appeals come direct to me instead of to the Deputy Inspectors-General. There are three ranges. The first comprises the whole of the Meerut, Agra and Jhansi divisions and two additional districts, Etawah and Farrukhabad. The second has 16 districts, the Kumaun, Bareilly and Lucknow divisions and three districts of the Fyzabad division, Bahraich, Gonda and Bara Banki. The third has 14 districts, namely, the Gorakhpur, Allahabad (less Etawah and Farrukhabad) and Benares divisions and the remaining districts of the Fyzabad division. This range, however, includes the large cities of Cawnpore, Allahabad and Benares which require special attention. Now there is one point. All officers, who are fully occupied, are at a great disadvantage when they have to travel over a very large part of the province and a certain amount of time is thus lost. I venture to say that, if these officers who have only recently been given four extra districts between them were given 23 police districts, they would lose still more valuable time in travelling and they would be, in my opinion, unable to carry out all the duties which they now have to perform. As I said, I am willing to admit that in the past full use was not made of Deputy Inspectors-General; but we have only just brought in these changes, and I venture to say that some time should be allowed to give them a fair trial. If after a fair trial has been given it is thought possible to cut down inspections, the matter can be reconsidered; but at the present moment I do not think it is practical politics to suggest a reduction of any one of these ranges.

Khan Bahadur Maulvi Fasih-ud-din : I think the police administration, which has been the target of so many critics in the past, has better days in store for it, specially in view of the announcement of the Hon'ble the Home Member today that he has done and will do his best to promote the interests of the police in conformity with the wishes of the public, and I want to make a few observations on this subject. I see that my friend Dr. Shafa'at Ahmad Khan has just said that he cannot speak with confidence on this subject for the simple reason that he has not had to do much with police work. But I submit that on account of my long association with police work I can speak on this subject with some confidence, and I assure you I speak on this subject with a full sense of my responsibility. The first point I wish to bring out is that the system, as I have already said in my speech on the general budget debate, of maintaining departmental heads along with the whole galaxy of secretariat officers should be discouraged, inasmuch as it has proved to be rather costly. Democracy ought to be in the very nature of things the cheapest form of Government, but I am afraid that in India it is proving an expensive luxury. For this reason I suggest that, like the Director of Public Instruction, the Inspector-General of Police should also take over the secretariat work.

Pandit Nanak Chand : A point of order, Sir. The honourable member is discussing the question of the Inspector-General of Police.

Khan Bahadur Maulvi Fasih-ud-din : I am not discussing the Inspector-General. I am discussing the whole policy of police administration.

The Hon'ble the President : It would be better if the honourable member reserved his remarks on general policy till the end. There is a motion later that the whole demand be reduced by Re. 1.

Khan Bahadur Maulvi Fasih-ud-din : Very well, Sir. About the Deputy Inspector-General of Police. I am in favour of the gradual abolition of the Deputy Inspector-General in charge of the territorial ranges and I look upon them as not very necessary, in the light of the fact that much of the work can be done by Commissioners and district officers. I find the Inspector-General has just said that the Deputy Inspectors-General are expert advisers on police matters. My own experience shows that the proportion of work which requires expert knowledge on the part of the police is comparatively very small and that the bulk of the work which is done by the Police relates either to law or to the ordinary executive, and I think that with the altered conditions, viz. when the district officer has been relieved of his work in connection with municipal and district boards, and when he is likely to get more relief in future in connection with the scheme for the separation of the Judicial and Executive, he should have more power in police matters, not only because by this arrangement his hands will be full, but also because as a matter of prestige he wants something else to rely on in order to be an effective and useful officer. So I beg to disagree with my friend the Inspector-General of Police for whom I have the highest respect and whom I regard as one of the most ideal officers, that the question of expert advice does not come in the way of the abolition of these posts, but I am certainly against any crippling of the Criminal Investigation department. I think that the Economy Committee . . .

Pandit Nanak Chand : I rise to a point of order. The post of Deputy Inspector-General, Criminal Investigation department, is provided under the second head 26-B, and I think if the honourable member has to offer any remarks he should wait till we come to that head.

Khan Bahadur Maulvi Fasih-ud-din : I will discuss this later on.

Rai Bahadur Lala Sita Ram : In conformity perhaps with the rôle of a old respected nationalist leader the Hon'ble the Home Member has given us a warning of a serious type and has inadvertently perhaps let us into the secrets of Government to a certain extent. He has been pleased to remark that perhaps an examination into the working of dyarchy, which in some quarters has been called unworkable and in other quarters—using the language of an ex-Minister of Bihar and Orissa—is called a three-legged race, is impending, and he has told us, perhaps rightly, to be careful in what we say and to be careful in what we do. Sir, I take that warning in the spirit in which it has been offered and I beg to thank the Hon'ble the Home Member for that warning. Perhaps this is not the first time that this warning has been given to us. It was perhaps more than once that such a warning has been given to us that we may be careful in what we do and that we should be tactful in dealing with this department or that department and that we should not reserve our attention only for the reserved departments, but that we should also

[Rai Bahadur Lala Sita Ram.]

transfer our energy to the transferred departments. Sir, the number of motions that have come up before you and will come before you and before this House as regards various departments will show to the Government and to the House as well that at least most of us here are not concerned with the reserved departments exclusively or are not concerned with the transferred departments exclusively. But with an impartiality befitting the dignity of the House we devote our attention to them, one and all. Perhaps the number of motions that have been given as regards Education, as regards Civil Works and as may be given hereafter as regards Irrigation will be enough to convince any member of Government, if he wishes to know it, that so far as we, non-official members of this House, are concerned, we have no desire to spare or to be partial or to be unfair to any member of the Government or to any department for the matter of that. We are grateful for the information that some system of examination is impending. We hope that, examinees as we are, we shall discharge our duties well and fully.

Coming now, Sir, to the point under discussion. I take it that the subject matter under discussion now is whether there should be any Deputy Inspectors-General or not; and if there should be any Deputy Inspectors-General, whether there should be a reduction in their number; and if there should be reduction, whether there should be a reduction of one or two. Now, Sir, the Lee Commission is holding its cogitations on the lofty heights of Mount Abu, and we do not know what they have got in store for us. Perhaps the Hon'ble the Finance Member may get up and tell us that so far as superior services are concerned—so far as their recruitment, their cadre, their emoluments are concerned—it is entirely in the laps of the gods of the Lee Commission or in the laps of the present Secretary of State and the Government of India. So far as we are concerned perhaps we are beating in the air in dealing with the question as a whole. The non-official section of the Economy Committee thought that there could very well be a reduction in the number of Deputy Inspectors-General by two. The honourable mover of this motion only asks for a reduction of the Deputy Inspectors-General by one. Sir, Government in making comments on the recommendations of the Economy Committee indulged in what I may say—without any offence—a sort of special pleading. It appeared to me that they wanted to bolster up a broken reed or a broken beam. The argument for the retention of these posts comes to this only. There is an increase in crime, therefore these people must be maintained. Well, Sir, not long ago we said in this House—and we quoted statistics to support that statement—that crime had decreased. But it was contended that crime had decreased on account of Deputy Inspectors-General being there. So that Government must have its way. If crime decreased, it decreased because the Deputy Inspectors-General were there, and if there is any increase in crime, the Deputy Inspectors-General must be there. Using another argument of the predecessor in office of Mr. Ashdown, who I am glad to say has already infused a good deal of sympathy of his into the department, Mr. Ashdown's predecessor in office used to say that "there is a depletion in the number of subordinate staff and therefore there must be a superior staff in full force to carry on the work of the district." But when an honourable member pointed out afterwards that the number of subordinate staff was

in full strength, he said that we must require men to supervise their work. So both ways Government must have its way. If there is depletion in the lower staff, the superior staff must be there to carry on the work. If the lower staff is in full strength, the superior staff must be there to supervise and co-ordinate their work. From that argument it appears to me that the Judge's seat has been usurped by an advocate. That is the utmost we can say in this connection. As to whether there can be a reduction by one or two, of course I have had no inkling, like some of my friends who preceded me, into the working of the Police department; but having regard to the fact that some of the Deputy Inspectors-General at present are not permanent and are only officiating, and having regard to the wishes of the Economy Committee—and perhaps the wishes of the House which the Government will ascertain later on—there is room for the reduction of one man. My honourable friend from Bulandshahr has, contrary to his usual custom, come to the help of the Government. He has asked the House to amend the motion to Rs. 100 only; perhaps thinking that the Lee Commission is there; perhaps thinking that if a Deputy Inspector-General is going to revert he must get the full salary of a Superintendent of Police, he must have had some such consideration in mind, for he asks us to reduce the amount to Rs. 100. Whatever the amount may be, whether it is Rs. 20,000, Rs. 20,000 or Rs. 100, the question before the House is whether they will in the present circumstances request the Government to reduce the present cadre of the Deputy Inspectors-General and reduce its present strength. I support the amendment of Pandit Nanak Chand on this understanding.

Mr. H. David : All the agitation that is made in this Council for the reduction of police force I take to be of a piece with that agitation which is made in higher quarters for the reduction of the military force. I am dead against any reduction of the force which keeps us in order, peace and protection. It is all very well for the agitated minds to think of reducing the British force, the Indian force, and why? To protect themselves with the military skill of such great men who perhaps never held a sword or handled a gun in their lives. Without giving names I may at once say that these persons cannot possibly be trusted to advise us Indians, natives of India, as to the means necessary for keeping us in protection from outside and from inside. I am really surprised to find that a professor of History comes forward to give us directions as to what we should do in respect of our police force. In my innocence I always took a Professor to be an unkempt and absent-minded gentleman, but we find we have got a professor who has thought fit to direct us in all matters except that which falls within his own province—I mean history. He gives us directions how to construct our buildings. If British Government is worth anything and of any use, it is on account of check and supervision. In my opinion I regard the retention of these Deputy Inspectors-General—only three Deputy Inspectors-General spread all over the United Provinces—as not more than necessary. How can we possibly think that two Deputy Inspectors-General will be able to go over the entire province—so different in all its situations. We have got mountain districts, sub-montane tracts and *doaba* and other low places all over this province including that little kingdom of Oudh as well. So, I think any attempt at reducing the number of Deputy Inspectors-General will go to weaken the check and supervision over the police. As I was listening to the learned argument of my friend from

[Mr. H. David.]

Bulandshahr he seemed to me to be constructing toy houses and the next moment overturning them. Once he said that these Deputy Inspectors-General cannot possibly check or prevent intended crimes. At the next moment he added that he can also see how crimes such as the depredations committed by Bhandus could have been checked or prevented. He says one thing at one place and a contrary thing at another. After all the Police Commission's Report cannot be held to contain Gospel truth for our guidance once for all and for eternity. The members of that committee were human beings; they could not foresee all that was to happen in India a few years hence, and the kind of crime that had prevailed in those parts and perhaps in other parts of India for some time. There is a lull no doubt for a time, but I think the storm is gathering and when we can see that there are persons who openly advocate the enrolment of volunteers and the collection of funds in numbers beyond our comprehension, how can we possibly think that there is no storm brewing and something untoward is not likely to happen? For those reasons I think any attempt at decreasing the police force will lead to disaster and anarchy. Therefore I strongly oppose the motion.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I am very grateful to the honourable members who have spoken on this point for the moderation they have exhibited in their speeches and particularly to my learned and most valued friend the honourable member for Meerut. I wish I could accept the motion; but I am very sorry indeed, as it is not possible to make any further reduction in the number of Deputy Inspectors-General. It was in this very Council not long ago that on the motion of my honourable friend the Minister for Education, who was at that time a non-official member, I had abolished the fifth Deputy Inspector-General in the face of opposition from the head of the department.

Rai Bahadur Lala Sita Ram: That post was a temporary measure—a war measure.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Yes, but the post was recommended to be made permanent and Government had rejected it in deference to the wishes of the Council.

There are now three Deputy Inspectors-General in charge of three circles. They are not merely post offices, as my honourable friend Dr. Shafa'at Ahmad Khan has called them, but have got to discharge certain most important duties. I may remind the House that the Deputy Inspectors-General have discharged most important duties to the great satisfaction of the Government on the occasion of the Chauri Chaura riots, the Saharanpur riots and similar other occasions.

When it was complained that unnecessary arrests have been made at Chauri Chaura, it was the Deputy Inspector-General in charge of that circle who according to the wishes of certain non-official members went to the spot, reduced the number of arrests and released them from custody.

Pandit Nanak Chand: We are not asking for the total abolition of the posts of Deputy Inspector-General. Two Deputy Inspectors-General will still be available for such emergency.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Look at the number of districts in each of these circles under the charge of each Deputy Inspector-General. There are fifteen or seventeen districts under the charge of each Deputy Inspector-General. They have to reach the spot on the occasion of any serious happening such as riots, murders or any serious kind of theft in addition to duties of inspection. They make inquiries in serious cases. They go to the rescue of the Superintendents of Police in charge of districts when extra work prevents the Superintendent of Police from looking after some important work. It will be impossible for the Deputy Inspector-General personally to reach any place in time if he is put in charge of more districts than fifteen or sixteen. I hope the Council will not question the reason for his not proceeding to that spot on the occasion when his presence was badly needed there. If you for the reasons given really want to continue the system of having Deputy Inspectors-General in charge of circles, then let us have three Deputy Inspectors-General. But if you reduce their number by one, then I think it will be impossible for them to deal with all cases of emergency. As regards doing away with the whole Deputy Inspector-General system opinions may differ. I am not at all convinced of the desirability of removing these persons from being in charge of the circles. Their case cannot be treated as that of the Commissioners of divisions as their duties are very different from them. The Commissioners though in charge of divisions are not required from time to time to supplement the work of the Collector. But here in many matters the Deputy Inspectors-General have got to take cases in hand and proceed with them. On their recommendations sometimes we take action. We have more reliance on their reports because they are impartial. Sometimes we receive reports about the partiality of the men on the spot. Then let us see what course should Government adopt when any complaint is made of the partiality of the men on the spot if we are to do away with these Deputy Inspectors-General.

These are the matters for the Council to consider. I do not press them because every point must be pressed on behalf of the Government. I have put the whole case before the Council and it is their look-out to consider them in the light in which they have been put.

The motion of Lala Mathura Prasad Mehrotra was first put and negatived. Then the motion that the demand under 26-A—Police—Superintendence be reduced by Rs. 100 was put and the Council divided as follows : -

Ayes (33).

Raja Bahadur Brij Narayan Rai.
Mr. H. C. Desanges.
Raj Bahadur Lala Sita Ram.
Raj Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Lala Babu Lal.
Thakur Rajkumar Singh.
Raj Bahadur Babu Ram Nath Bhargava.
Raj Amba Prasad Sahib.
Raja Suryapal Singh.
Chaudhri Sardar Singh.
Pandit Brijnandan Prasad Misra.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukm Tej Pratap Singh.
Raj Bahadur Pandit Balbhadra Prasad Tiwari.

Raja Sri Krishna Dutt Dube.
Thakur Hanuman Singh.
Raja Shankar Sahai.
Kunwar Rajendra Singh.
Raj Bahadur Thakur Mashal Singh.
Kunwar Surendra Pratap Sahi.
Mr. Muhammad Aslam Saifi.
Lieut. Nawab Jamshed Ali Khan.
Maulvi Obaid-ur-Rahman Khan.
Hafiz Hidayat Hussain.
Nawabzada Muhammad Yusuf.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Ashiq Hussain.
Khan Bahadur Maulvi Fasin-ud-din.
Mr. Ashiq Hussain Mirza.
Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.

Noes (27).

The Hon'ble Mr. S. P. O'Donnell.
 The Hon'ble Raja Sir Muhammad Ali
 Muhammad Khan, Khan Bahadur.
 The Hon'ble Lieut. Nawab Muhammad
 Ahmad Sai'd Khan.
 The Hon'ble Rai Rajeshwar Bali.
 Mr. G. B. Lambert.
 Mr. E. A. H. Blunt.
 Kunwar Jagdish Prasad.
 Mr. G. B. F. Muir.
 Mr. A. O. Verrières.
 Mr. C. E. D. Peters.*
 Mr. J. R. W. Bennett.
 Mr. S. H. Fremantle.
 Mr. R. Burn.

Mr. A. B. Reid.
 Mr. A. G. P. Pullan.
 Mr. H. G. Billson.
 Mr. A. D. Ashdown.
 Lieut.-Colonel R. F. Baird.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.
 Raja Muhammad Ejaz Rasul Khan.
 Mr. H. David.
 Babu Khom Chand.
 Khan Bahadur Kunwar Inayat Ali Khan.
 Khan Shih Munshi Sidliq Ahmad.
 Lieut. Shaikh Shahid Husain.
 Sir Thomas Smith, Kt., v.d.

The motion was accordingly adopted.

The Hon'ble the President: There is a point to which I would like to refer again, and that is the question of passing between a speaker and the Chair. In the last Council I explained that in all the Councils, in the Assembly and in Parliament it is not courteous to pass in front of a speaker; that is to say, the line between the speaker and the Chair should not be crossed. The reason is perfectly obvious. There are members no doubt whose presence is so unassuming and exiguous that they would not inconvenience an honourable member by passing in front of him when speaking, but on the other hand there are many here whose presence is of such surpassing dignity that they can entirely block out a speaker's horizon. I noticed that while the honourable member for Meerut, Rai Bahadur Lala Sita Ram, was speaking with great fluency, as is his custom, an honourable member did pass immediately in front of him and he seemed to falter for a moment. In fact he dropped that sentence completely; that may have been a gem lost to the history of literature or of oratory. During the course of the budget debate there is necessarily a good deal of going to and fro, but if an honourable member wishes to leave his seat he should choose some other way of going out than that of passing before a speaker. If, however, he cannot avoid crossing the line between the speaker and the Chair, he should possess his soul in patience and wait for five or ten minutes until the speaker has finished. I think this is a very easy and simple rule for honourable member to follow.

Pandit Nanak Chand: I beg to move that the demand under the head "Salaries (26 B—C.I.D.)" be reduced by Rs. 10 instead of Rs. 5,000. The question of the retention of the Range Deputy Inspectors-General has just been discussed in this House, and I do not wish to cover the same ground again. My object in moving this motion is to invite the attention of the Council and the Government to the question of the abolition of the post of the Deputy Inspector-General in the Criminal Investigation department. The matter was considered by the Economy Committee, and in their letter to the Government they remarked as follows:—"The committee are, however, unanimous in holding that it is not necessary to have a Deputy Inspector-General in charge of the Criminal Investigation department. The two branches of the Criminal Investigation department are in charge of specially selected superintendents who are usually experienced officers; they should be able to handle the work directly under the control of the Inspector-General, who will be relieved of much work by the scheme of decentralization. The present system duplicates and delays work; for the assistants must surely

be required to refer cases to the Deputy Inspector-General which they are competent to dispose of themselves." The Government, however, in their resolution on the report of the Economy Committee, stated as follows:—"The Governor in Council is unable to accept the recommendation that the Deputy Inspector-General in the Criminal Investigation department should be abolished. Circumstances, over which the department had no control, have handicapped its usefulness since the reforms were inaugurated. It has recently been reorganized. The reorganization so far from increasing the total cost as the committee suggest, has in fact slightly reduced it. What the department now requires above everything else is a period of freedom from vicissitude in order to develop its full value. The problems with which it has to deal exhibit, under modern conditions, increasing complexity and difficulty. There has been in a neighbouring province a recrudescence of anarchical conspiracies, and past experience—as witness the Benares and Mainpuri conspiracy cases and the more recent Bareilly shooting case—shows clearly that this province cannot count on immunity from the contagion. The Criminal Investigation department provides the only agency for keeping in touch with developments and for preventing conspiracy from coming to a head. If prevention fails, the next best remedy is speedy action based on certain information. On both counts an efficient Criminal Investigation department guided by a competent head is essential. This is only the aspect of the protection which the Criminal Investigation department affords. No other section of the police is sufficiently trained or organized to deal with expert criminals, whose activities often extend beyond the limits of a single province. The Governor in Council is confident that the reorganized department under its experienced head will play an increasingly valuable part in securing the tranquillity of the province, and that the one thing now needful is security from further change and uncertainty." I beg to submit, Sir, that the Criminal Investigation department branch has got three assistants to the Deputy Inspector-General who look after three branches. From the latest Civil List I find that the Deputy Inspector-General for the Criminal Investigation department is an officer of 23 years' standing and he has to supervise the work of his assistants who are not junior officers. The first assistant, Mr. Roe, in charge of the special branch is an officer of 20 years' standing. Another assistant to Deputy Inspector-General, Criminal Investigation department, is Mr. Horton, who again is a senior officer of 18 years' standing, and the third officer is Mr. Coulton who is an officer of 12 years' standing. I beg to submit, Sir, that these officers being sufficiently senior are quite capable of looking after the work of their respective branches and we do not require another senior officer of the position of Deputy Inspector-General to supervise the work of officers who are almost his coevals in service. This recommendation, as I pointed out earlier, was made unanimously by the Economy Committee. In the other case it was the non-official majority that recommended the abolition of one territorial Deputy Inspector-General. In this case we were fortunate in having with us the unanimity of official members as well who included not irresponsible people but senior experienced administrators like Mr. Fremantle, Senior Member of the Board of Revenue, and Mr. Oakden and also Mr. Silver, who was lately Director of Industries to this Government. I think if the other recommendation could be

[Pandit Nanak Chand.]

lightly treated as compared with this recommendation, there was some justification for the Government to say that the non-official members could not carry the official members with them in that recommendation; but in this recommendation, as I have submitted, the committee was unanimous, and I think the Government ought to give effect to the recommendation of this committee.

Another point to which I wish to draw the attention of the Government while discussing this reduction is the expensive organization of the Criminal Investigation department. I am aware of the Government's nervousness or over-anxiety about the recrudescence of anarchical crimes. Government has in its resolution about the Deputy Inspector-General, Criminal Investigation department, referred to the Benares and Mainpuri cases and has also referred to the Bareilly shooting case. As regards the Benares and Mainpuri cases, the honourable members will bear me out that they were old cases and since then the atmosphere has changed a good deal. As regards the Bareilly shooting case, I am of opinion that it was a regrettable case and the Government should not feel nervous on the score of such stray instances of individual fanaticism which may happen on account of stray individual persons going wrong and which may not be due to any conspiracy organized or otherwise. For these reasons I commend this motion for the acceptance of the House. I also want to draw the attention of the Government to one other point. The Hon'ble the Finance Member, speaking on the 4th of April, 1923, gave the following assurance to this House:—"We have in view an Indian Superintendent of Police, and if he is willing to take the appointment we are quite willing to add him to the Criminal Investigation department." But from a reference to the Civil List I find that at present no Indian officer of the rank of Superintendent of Police is attached to the Criminal Investigation branch of the police.

Pandit Brijnandan Prasad Misra: I have also got motion No. 13 for a reduction of Rs. 1,50,000. That motion also covers the same ground which has been taken by my honourable friend from Bulandshahr. Shall I be right in moving an amendment to the motion of my honourable friend? I want the entire omission of the Deputy Inspector-General, Criminal Investigation department.

The Hon'ble the President: Is there any objection?

The Hon'ble Mr. S. P. O'Donnell: Yes, there is.

The Hon'ble the President: Better speak to the motion before the Council.

Pandit Brijnandan Prasad Misra: My motion wants the reduction of the whole amount under 26-B.

The Hon'ble the President: I will call on the honourable member to speak to that motion subsequently. If the honourable member wants to speak to the motion on the subject of the Deputy Inspector-General he may do so. It is entirely at his choice either to speak now or subsequently.

Mr. E. A. H. Blunt: I only rise to a small point of mathematics. The honourable member has said that our budget allotment for the Criminal Investigation department is very large. As a matter of fact there is a mistake of Rs. 8,700 in this budget due to the fact that one of

the assistants to the Deputy Inspector-General has also been provided for under the District Police. It is proposed to reduce the latter figure by Rs. 8,700. As the sum is non-votable it is not possible to move a definite reduction, but I can assure the House that a reduction will be made.

The Hon'ble the President: There are two motions—motions Nos. 12 and 14—which do not refer to any specific items. If the honourable members will specify the items they will get a much better opportunity of speaking.

Dr. Shafa'at Ahmad Khan: I must repeat my remark with regard to lack of experience of the Police department.

The Hon'ble the President: This is in connection with the single item of Deputy Inspector-General.

Dr. Shafa'at Ahmad Khan: Then I shall speak later on.

Khan Bahadur Maulvi Fasih-ud-din: I have just remarked that I am not at all opposed to a reduction in the number of Deputy Inspectors-General in charge of the territorial range, but I am not very much in favour of having any reduction in the case of the Deputy Inspector-General of Criminal Investigation department, and I say so on the basis of a matter of principle. It is my lifelong experience that the police investigating staff lacks in its power of detecting cases. The police officer who goes to a village generally depends either on the confession of the accused or on the evidence of the witnesses who are produced by the complainant, and it is very seldom, according to my experience, that he exercises his brains over the work of investigation, and the result is that the cases actually detected are very few and far between. I find from the Annual Administration Report of the Police department that the number of cases of murder detected last year was very small, and there is a ring of despondency both in the report of the Inspector-General of Police and the resolution of the Government that the detective work of the police is very unsatisfactory. I think the Criminal Investigation department does not only grapple with the political situation and with the recrudescence of political offences but it also serves one useful purpose, and that purpose I value the most. It trains the investigating staff of the police in detective work, not only in connection with general offences but also in the case of special offences, such as cattle-poisoning, man-poisoning, counterfeiting of coins, dacoities, and so on; and it is my personal experience that the Criminal Investigation department has made a very good headway in the matter of detection of some really very important cases.

The Hon'ble the President: This is rather a discussion on the whole department.

Khan Bahadur Maulvi Fasih-ud-din: I notice that there has already been a large reduction in the Criminal Investigation department. One Superintendent of Police has already been brought under reduction as well as two Deputy Superintendents, three Inspectors, ten Sub-Inspectors and some head constables. I do not wish to oppose any economy, but my object in making this speech is that the economy should be in the right direction. I gave my vote a few minutes ago for the abolition of one post of Deputy Inspector-General on the territorial side; but

[Khan Bahadur Maulvi Fasih-ud-din.]

I think that it will be a very great pity if we were to cripple the energies of the Criminal Investigation department which has for its chief object the training of the investigating staff of the police in detective work, and so long as the work of the police is not improved, the police will continue to be held in very low esteem by the public specially in these days of growth of public opinion, and unless the police comes up to the standard of public opinion it can never make its mark. The only department which I think has a great future before it in the altered circumstances is the Criminal Investigation department. If ever the Government can dispense with the post of the Deputy Inspector-General of the Criminal Investigation department and utilize the same money in better ways I will not at all be sorry, but what I mean to suggest is that there should be no crippling of funds so far as the activities of the Criminal Investigation department are concerned.

Mr. A. D. Ashdown: The Criminal Investigation department is a very important one, dealing with a mass of important work, and if it has no official head except the Inspector-General himself, it is pertinent to inquire how all this mass of work is to be disposed of. Now in 1919 for ten months I was in charge as Deputy Inspector-General of the Criminal Investigation department. I can assure this House that during the whole of those ten months I worked during the week for over sixty hours, whether holidays or Sundays, week in, week out. If on occasions I had to go on tour to make personal inquiries, as I did on one or two occasions, my work got into hopeless arrears, and on my return I had to work longer hours. Now it is of course obvious that this volume of work has to be disposed of by some one. I flatter myself that I am not a very slow worker, and I can assure the members of this House that I never did, any work which I thought anybody else could do.

The honourable member for Bulandshahr has pointed out that the three officers who are at present assistants to the Deputy Inspector-General in the Criminal Investigation department are very senior. It is admitted. My honourable friend actually gave exactly the number of years of service of each officer. These officers are Superintendents and they cannot exercise powers higher than those exercised by a Superintendent. It is also relevant to say that these appointments are not permanent, and that where you at present have an officer with twenty years' service, you may very shortly have an officer of only fourteen or fifteen years' service. It is impossible to tie ourselves down always to select three senior officers for the Criminal Investigation department, and in addition if we do so and then give them greater powers than ordinary Superintendents so that they can dispose of the work at present going to the Deputy Inspector-General, we would in fact be creating three Deputy Inspectors-General ultimately instead of one. Now as a matter of fact the second senior officer in the Criminal Investigation department is about to go on leave, and it would be impossible, so far as I can see, to select an officer with equal experience and seniority. Besides, though these appointments are, as I have said, important, we must also consider the claims of the important districts in the province. I have to supply senior and experienced Superintendents for the seven big cities. There are in addition important districts like Moradabad

and Saharanpur. Therefore I think we may well say that we cannot reserve these three appointments for specially senior officers. That being the case, it follows that as regards this work at present done by the Deputy Inspector-General of the Criminal Investigation department we might be able perhaps to give a little of it to the specialists because they are specialists, but the results would be that the Inspector-General would get a considerable number of hours of extra work a week and I can assure the House that from my own point of view I do not think the Inspector-General could possibly deal with it.

The Hon'ble Mr. S. P. O'Donnell : I should like, Sir, before my colleague replies to the debate generally to offer a few remarks. I should have thought that there was no department where close, effective and constant supervision is more necessary than the Criminal Investigation department. There is no branch of the police where the work is more difficult, complex and intricate. It is not that we have no confidence in the three officers in charge of the branches of this department. I believe that all three officers are very competent. There are also however many competent officers in district work, and it is admitted that in their case control, supervision and guidance are necessary. Still more are they necessary in the case of a department like the Criminal Investigation department. The honourable member for Bulandshahr has said that the atmosphere has improved. I agree that the general political atmosphere is certainly very much better than it was three or four years ago. We cannot of course entirely ignore the hints that in certain contingencies we may be faced with a campaign of civil disobedience. I lay no particular stress on this, for the connection of the Criminal Investigation department with ordinary political activities is very slender indeed. It amounts to little more than the fact that the best trained Urdu shorthand reporters are in the Criminal Investigation department. The Criminal Investigation department is concerned, however, very closely indeed with revolutionary and anarchical crime. It is indeed our main safeguard against outbreak of such crime. The honourable member for Bulandshahr takes a very optimistic view of this matter. I do not know on what his view is based, but it does not agree with our information. We know as a matter of fact that revolutionary conspiracies have broken out in Bengal. We know that these conspiracies have culminated already in one murder; we know from past experience in these provinces that we cannot reckon on being immune from the contagion. We have had clear proof of that in the Benares conspiracy and the Mainpuri conspiracy. It was proved in the Mainpuri conspiracy case that emissaries from Bengal had been at work amongst the impressionable students of a well-known high school. I think the Council will agree with me that it would be disastrous if once again emissaries from Bengal were to corrupt the youth of this province. It is quite impossible for the ordinary police to deal with conspiracies of this kind. Their ramifications are far too wide, their organization extends over too large an area, and their methods are far too subtle for the ordinary police. We have therefore to maintain a special branch for dealing with crime of that sort, and it is essential that that branch should work under the supervision and control of the most experienced and capable officer at our disposal. I may add that we also know for a fact that such conspiracies have been and are being fomented from outside India.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I am sorry I cannot agree with the motion—not because I should oppose every motion, but because it is a most important question and I must express the Government's view on the matter. Before doing so I think I owe an explanation to this House with regard to the delay in the appointment of an Indian in the Criminal Investigation department. I failed to do so, not because I did not want an Indian—that would have meant that I did not approve of my own presence—but because I wanted to post certain Indians to other places and I did not like to take them away from more important places for cogent reasons. But I am shortly going to appoint an Indian, as desired, in the Criminal Investigation department and I hope in the near future that it will become a permanent appointment. I fully agree with my honourable colleague, the Finance Member with what he has stated in connection with the Criminal Investigation department. I am not afraid of any future political developments so far as this department is concerned. But I am really interested in one point, and one only that is, the investigation of crimes of a serious nature such as the one we recently had when a corpse was put in a box and despatched from Delhi side. The regular police failed to find a clue. The Criminal Investigation department was put on to make an inquiry and that inquiry I am glad to say has been a success. In the same way we deputed certain Criminal Investigation department officers to investigate certain cases in connection with bank forgery. The case being *sub judice* I am not going to make any statement in that connection but I may be allowed to say that it has been another success for the Criminal Investigation department. Similarly cases of theft and murder are waiting for the Criminal Investigation department to elucidate. These are the reasons for which I am most anxious to keep the Criminal Investigation department as it is at present and not to make any reduction at this stage. I submit to the Council that the accurate reporting of seditious speeches is another important matter which needs to be carefully considered by us. When I entered the Government I found that the translation of the speeches was so mutilated that it was a very grave responsibility to take any action on them or to recommend to the Governor to sanction the prosecution of certain important persons. When I at once took up the question and approached His Excellency the Governor in Council for the reform of the department, what I found was that everybody in the department was sleeping over the importance of the translations of the political speeches or even of making accurate statements with regard to the activities of certain political leaders.

Pandit Brijnandan Prasad Misra : Will the Hon'ble the Home Member kindly inform this House whether there is a single person in the Criminal Investigation department who can report vernacular speeches quite accurately?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I am glad to say that I have got such a man and I can easily rely on the translations produced in the Criminal Investigation department. But in the past I had to translate myself and had to reject the translations at time and recommended in certain cases that no action should be taken on the strength of the translation.

Pandit Brijnandan Prasad Misra : Was this on account of the reliance which the Hon'ble the Home Member had?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : It was not a question of reliance, it was a question of the poor condition of the translation itself. The speech was so translated that it did not carry any sense of the original. Under these circumstances I was compelled to recommend to His Excellency the Governor that the Criminal Investigation department should be made more efficient; and with a view to securing that efficiency a committee was appointed; and various recommendations were made which have been carried out only this year. I trust the Council would see their way to leave the budget as it stands at present so as to allow us to make an experiment of the new scheme for a year only. If after that the Council finds that the proposed reform has been a failure it can come forward with a definite proposal and I shall be quite willing to accept it so far as it lies in my power.

Pandit Nanak Chand : I am grateful to the Hon'ble Home Member for having given the House an assurance that he is going to appoint an Indian to this department very shortly. I do not agree with my friend, Khan Bahadur Maulvi Fasih-ud-din, when he says that this post of Deputy Inspector-General will in any way help the promotion of better detective facilities in the district force of the police. I think no officers from the districts who are usually in charge of investigations are or are proposed to be sent for training in the Criminal Investigation department. Next coming to the remarks of the Hon'ble Finance Member, he was pleased to remark that he apprehends the starting of civil disobedience.

The Hon'ble Mr. S. P. O'Donnell : I did not say that I apprehended civil disobedience. I merely observed that there were hints in certain quarters of such a contingency and that we might be faced with a campaign of civil disobedience.

Pandit Nanak Chand : I am thankful to the Hon'ble Finance Member for the correction. I think if this contingency arises the present establishments whether of the Criminal Investigation department, or the district force will not prove sufficient, and the Government will have to adopt emergent measures. If the Government wants to retain this post of Deputy Inspector-General in the Criminal Investigation department on account of that apprehension, I would request them to reconsider it. But the Hon'ble Home Member has remarked that he wants to allow the experiment to be tried for one year at least, after which if he finds it unsatisfactory, then he will be prepared . . .

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I said that if in the opinion of this House it is found to be unsatisfactory.

Pandit Nanak Chand : I am obliged for the explanation. If the arrangement is found unsatisfactory in the opinion of this House the Hon'ble the Home Member will be prepared to reconsider the whole situation about this department and this post. I do not wish to embarrass the Hon'ble Home Member and I do not wish to stand in his way for having this experiment for at least one year, nor do I wish to take the responsibility of preventing the Government from dealing effectively with the likelihood or the possibility of an outbreak of conspiracies or revolutionary crime for which there may be some information with the Government. Therefore I at present do not wish to press this point, but I reserve it to myself to bring up the question again if circumstances so require.

[Pandit Nanak Chand.]

The motion was, by leave of the Council, withdrawn.

[The Council here adjourned for lunch.]

[The Council reassembled after lunch, the Deputy President in the chair.]

Rai Bahadur Thakur Mashal Singh : I beg to move that the amount of Rs. 37,900 provided for travelling allowance under "26B—C. I. D." be reduced by Rs. 2,900. A reference to page 60 of the Detailed Estimates will show the honourable members that a sum of Rs. 37,900 has been budgeted for next year and the revised estimate amounts to Rs. 35,000. I simply desire that Rs. 2,900 be reduced in this allotment.

Mr. A. D. Ashdown : I am authorized to accept this motion.

The motion was put and adopted.

Lala Mathura Prasad Mehrotra : I beg to move that the demand under account no. 26B—C. I. D. be reduced to Rs. 57,000.

My object in moving this motion is to secure the abolition of the following posts :—

One of the three posts of Assistants to Deputy Inspectors-General;

Three posts out of six Deputy Superintendents;

Eight out of 56 executive subordinates.

This will secure a reduction of Rs. 53,200 and if taken together with the reductions in constabulary, clerks and servants as well as a number of allowances such as House, Duty, and Travelling allowances, etc., which are attached to these posts, the figure comes to Rs. 57,000. It is a great pity that such a huge force is kept in the Criminal Investigation department of this province. It would of course have been justifiable at the time when the non-co-operation movement was at its zenith; but now when normal times have returned I do not see that there is any justification. We are spending Rs. 70,000 more in comparison with Madras and Rs. 1,12,000 more than the Punjab, which may be said to need much more on account of its recent occurrences. I would also draw the attention of the honourable members to page 29 of the Economy Committee's report, which says "there has been a very marked increase in the cost of the Criminal Investigation department and we understand that this branch has just been reorganized with a further increase to its cost." Whenever any proposal for new taxation is brought forward the Hon'ble the Finance Member compares the cases of sister provinces and states that such and such taxes have already been levied in other provinces, but when such unnecessary expenses are demanded no comparison is made. My suggestion is that this department should be located at some two or three central places from which every other district, also could be easily accessible, and thus there will be no harm in reducing this huge force.

In these circumstances I appeal to this honourable house to reduce the whole sum by Rs. 57,000.

The Deputy President : Motion No. 13 in the name of Pandit Brijnandan Prasad Misra.

Pandit Brijnandan Prasad Misra : Will you permit me, Sir, to move my motion as an amendment to the motion of my honourable friend Mr. Mehrotra?

The Deputy President : There is no objection.

Pandit Brijnandan Prasad Misra : I desire to move that the demand under sub-head "26B—Criminal Investigation department" be reduced by Rs. 1,50,000.

The reductions that I want to be made in the budget under 26B are as follows. I simply want to give an indication of the reductions I desire to be made and would leave the accounts to be adjusted by the department itself. The reductions I am indicating would however show to the House that reductions of this sort are quite possible and can easily be effected without putting the department to any inconvenience or emergency. For the Deputy Inspectors-General a sum of Rs. 22,200 has been budgeted for in the next year. I want that sum to be...

The Hon'ble Mr. S. P. O'Donnell : On a point of order, Sir, have we not already discussed the question of Deputy Inspector-General. That point has already been discussed, I understand.

Pandit Brijnandan Prasad Misra : I have absolutely no intention of discussing the matter as it has already been discussed. As I have mentioned in the beginning, I am only indicating what reductions and cuts in these directions are possible; and I mention it only as a matter of fact and not as a matter for discussion.

Another item that I want to be reduced is the item relating to the assistant to the Deputy Inspector-General of Police for which a sum of Rs. 47,600 has been budgeted for next year; but a sum of only Rs. 30,000 will be found in the revised estimates.

The Hon'ble Mr. S. P. O'Donnell : On a point of order, Sir. That particular item is non-voted. The honourable member is proposing reductions, giving details of reductions, which he suggests should be made. The first reduction he suggests is one which has already been discussed; and the next reduction is one which is non-voted. I submit, Sir, that that procedure is not in order.

Pandit Brijnandan Prasad Misra : Another reduction that I want to be made is with respect to deputy superintendents of police. A sum of Rs. 37,080 has been budgeted for next year, while Rs. 18,800 is to be found in the revised estimates. The number of deputy superintendents of police has been four and it is intended to be increased to six. Even if the old number had been kept up Rs. 18,800 would have met the necessary expenditure. But since the department itself is proving an irksome burden to the tax-payer and the establishment in the Criminal Investigation department is also very heavy? I think the number can very easily be cut down to three instead of four, and thus a saving can be effected.

Another cut that I want to be made is in the Executive Subordinates, for which an amount of Rs. 1,32,060 has been budgeted for in the next year and for which in the revised estimates you find a sum of Rs. 1,12,000. The number of executive subordinates as shown in the present estimate is intended to be cut down from 67 to 54. When there had been 60 to 67 the sum demanded by Government and given by the Council was Rs. 1,12,000. Now when the number is proposed to be decreased to 54, it is surprising that a sum of Rs. 1,32,060 should be asked for. I know that a small allowance is included in the item, but if the figures are properly adjusted I am sure that a reduction of Rs. 40,000 can very easily be made.

[Pandit Brijnandan Prasad Misra.]

When the establishment is being reduced on all sides I fail to understand how the number of servants has increased from 21 to 27. Last year the sum has been Rs. 2,500 and for this year the demand is for Rs. 3,648. This sum could very easily be reduced to a certain extent and I leave it to the department. Another cut that I want to be made is in the matter of travelling allowances which may also be reduced to . . .

Mr. E. A. H. Blunt: On a point of order, Sir. That has just been discussed.

Pandit Brijnandan Prasad Misra: Besides these, Sir, I want a cut of Rs. 2,000 for rewards, 10,000 for secret service and Rs. 5,000 for "Others." I do not know what this item "Others" really stands for. That also should be cut down. These are the items of which I have given an indication. Since I was prevented by the ruling of the Deputy President from discussing some of the items which have already been discussed by the Council, I cannot refer to them in detail. Now there is no other alternative open to me but to insist upon the sums being adjusted somehow in the budget, and I hope that the sum total of the reduction that I am asking may be passed by the House. I would like to make one more observation on some of these things before I conclude my speech.

The Deputy President: Will the honourable member give the figures which he wants to reduce under each head?

Pandit Brijnandan Prasad Misra: I want that a sum of Rs. 1,50,000 should be cut from the whole demand. Since I cannot discuss many of the details on account of your ruling, I leave the question of adjustment to the department. Since they are eager not to hear me and since they wish to avoid me, the only course open to me is to insist on the whole demand being cut down by Rs. 50,000 and leave the various items to the department to adjust. I think, Sir, that since the whole demand will be put I am perfectly entitled to make a reduction under the whole demand.

The Deputy President: Might it not be possible to discuss each item under each head separately?

Pandit Brijnandan Prasad Misra: I have not given any specification of the figures to be cut down. I simply wanted to give an indication so that the department may see its way to accept my proposal instead of opposing it in a hostile spirit. Sir, (the expenditure in this department has been constantly increasing and even the Economy Committee which consisted of both officials and non-officials, many of the latter being men of very sober and reasonable temperament, said, on page 89 that "there has been a very marked increase in the cost of the Criminal Investigation department and we understand that this branch has been reorganized with a further increase in its cost." In this way, Sir, if the expenditure is not cut down to a necessary proportion, the result will be that the department will go on increasing. I fail to appreciate, notwithstanding the Hon'ble the Finance Member's certificate, the services of this department, since Government and myself have got two different views in this respect. I am not prejudiced against this department because of its being a department of the police. But I do not agree with the Hon'ble the Finance

Member, who has admired the services of this department. His admiration for the department is no wonder to me, because the honourable members on the Government benches are in the habit of admiring one another and this is a sort of mutual arrangement. Of course the attitude of Government members would be comprehensible to me if one admired a department which is in charge of the other. But the whole thing should, in my opinion, be judged from the opinion which the outside people entertain about this department. I do not know what the Council is to understand from the opinions of the Honourable members of Government when one member says that this department is necessary because there are apprehensions of anarchy and revolution in the future and another member who is in charge of the department says at the same time that he does not entertain fears of that sort.

I do not know how the honourable member for Brilandshahr was so easily satisfied and withdrew his motion at the request of the Hon'ble the Home Member that a year's experiment should be allowed to this department. The honourable member perhaps failed to understand that the Hon'ble the Home member wanted a year's experiment, simply because he would be in office for a year or so and then I hope he would occupy non-official benches with a little change in his angle of vision.

The utility of the department has been sought to be proved by calling it a reporting and translating department. But I put a question to the Hon'ble Home Member if there is a single reporter who can report vernacular speeches correctly. It is because the vernacular speeches are not reported correctly that the so-called political agitators are caught so easily and after the force of a judicial trial, are sent to jail. I submit that it is a fact that a very large number of speakers were thrown into jail because their speeches were inaccurately reported. However, when I put that question, the Hon'ble the Home Member did not answer it frankly and fairly as he ought to have done. If a reply of that sort is going to be given, I may say that I would not be satisfied easily. What I beg to submit to the Council is that one or two reporters may be asked to report vernacular speeches in this Council. If speeches are not reported here correctly, then the word of the Hon'ble the Home Member that they are good reporters should not be taken as gospel truth. It will, therefore, appear that whatever is generally made out in regard to the utility of the Criminal Investigation department is not in fact true. If, then, the department is not working efficiently, it is entirely useless to retain it.

I fail to understand why special provision has been made for rewards in this department. If it is intended for the officers of the department, I say it is not at all justified, for whatever good work they will do from the Government point of view will be in the nature of their legitimate duties.

Again, I cannot understand why special allotment has been made for "secret services". If it is meant to recompense those who trace some heinous crimes, e. g. murder and arson, I submit it is not necessary that such a large sum should be set apart for the purpose. As a matter of fact, the Criminal Investigation department are unable to detect crimes in most cases. The person who had thrown the bomb at the Viceroy at Delhi has so far remained undetected by the Criminal Investigation department. Is this to the credit or discredit of the department?

To my mind, Sir, the Criminal Investigation department is being maintained with a view to crush the political aspirations of Indians

[Pandit Brijnandan Prasad Misra.]

and to send people to jail, and consequently the department had better be styled "The Crushing India department."

Rai Bahadur Thakur Mashal Singh : The honourable member seems to be raising a general discussion on the subject.

Pandit Brijnandan Prasad Misra : I suppose, Sir, my honourable friend has not heard my speech from the beginning. I have dealt with the department item by item, but when all the items are added together, the discussion naturally becomes general. However, I have amply made my observations on the subject, and will close by requesting the House to vote for my motion.

Dr. Shafa'at Ahmad Khan : I am not aware of the actual working of the Criminal Investigation department but, so far as my information goes, it consists of three branches, namely (1) the Special branch, which is called the Political branch; (2) the Criminal branch, which deals with crimes occurring in the province; and (3) the Criminal Tribes. The honourable the Inspector-General of Police may kindly correct me if I am wrong in my classification of the various branches of the Criminal Investigation department.

Mr. A. D. Ashdown : The Criminal Tribes section of the Criminal Investigation department has been amalgamated with the Criminal Branch of the Criminal Investigation department, so that the Criminal Investigation department consists of three sections only :—(1) the Finger Print Bureau, (2) the Special branch, and (3) the Criminal branch.

Dr. Shafa'at Ahmad Khan : With regard to the Finger Print Bureau, my suggestion is that the present system of appointing sub-inspectors be replaced by that of trained clerks who are specially trained for this type of work. This was the case with regard to the Finger Print Bureau at Simla. By this means we will be able to effect considerable economy. In the next place, I notice there are six Deputy Superintendents of Police. I suppose three are allotted to the Political section and three to the Criminal section. So there are six, and I fail to see why such a comparatively large number should be retained. I have no actual experience of the working of the department and I speak with considerable diffidence, but still I have been told by persons who have had experience of the working of the department that if the number of Deputy Superintendents could be reduced to four, it will not really affect the efficient working of the department. This is another suggestion that I put forward. In the third place, there is the question of work in connection with the Criminal Tribes. I do not know why this function is still performed by the Criminal Investigation department. So far as I can gather, that work could really be performed by the district authorities. I believe that the working of the Criminal Tribes Act is thoroughly understood by the district police. The Superintendent in charge of the Criminal branch and of the Criminal Tribes section should be replaced by a senior assistant or Deputy Superintendent of Police.

Pandit Brijnandan Prasad Misra : What is the honourable member quoting all this from?

Dr. Shafa'at Ahmad Khan : From my notes.

These are the three important points I wish to put forward. In the first place, there is the question of the Finger Print Bureau. The

sub inspectors should be replaced. In the second place, there is the question of the Criminal Tribes. With regard to the Political section, we are all agreed on keeping that section, and the Government may rely on the active co-operation of all honourable members. But that does not really imply that because there is a naked possibility—I do not say even the possibility—of danger, conspiracy, civil disobedience, therefore on the remarks of a few irresponsible agitators it should be considered necessary that the staff of the Criminal Investigation department should be increased. I do not think it follows that because of a few remarks of some persons who may not be regarded as leaders of the country we are justified in presenting to this Council such a high demand for the Criminal Investigation department.

The Deputy President: Will the honourable member move his amendment?

Dr. Shafa'at Ahmad Khan: I should like to reduce the amount from Rs. 50,000 to Rs. 20,000 under "Account No. 26-B-C I. D."

Rai Bahadur Lala Sita Ram: Into the ramifications of the speech of my honourable friend from Pilibhit I need hardly enter, although I may say that I agree with him that the department need not be abolished and that it should not be ended entirely. There is need for the department and it should not be entirely done away with. I also agree with him when he says that there is need for vernacular shorthand writers in the districts in order to take down the speeches of people, so that they may not be misrepresented or convicted on the evidence or the oral testimony of constables and head constables, as I know from personal experience has been the case in one or two instances in Meerut. I again need not go into the sections in which the Criminal Investigation department is divided, namely the Criminal branch, the Finger Print Bureau, and the Political section. We have nothing to do with them. Dealing with the budget, I only wish to draw the attention of the House to the rather startling increase under this head. According to the revised estimate of 1923-24, the Criminal Investigation department cost only Rs. 2,81,000. The budget estimate for 1924-25 is Rs. 3,36,000. So that means an increase as against the revised estimate of not less than Rs. 75,000. In his memorandum Mr. Blunt has explained an increase of Rs. 43,000 comparing the budget estimate of 1923-24 with the budget estimate of 1924-25, but the budget estimate of 1923-24 was perhaps an over-estimate and we need not take that into account at all. We need take into account only the revised estimate which must perhaps be based on actuals and the figure of the revised estimate is only Rs. 2,81,000. So that the increase of Rs. 75,000 has to be explained by Government. I shall not commit myself to the details of the various items where Government can make cuts. I think Government can make a cut and certainly will be able to make a cut of more than what Dr. Khan has proposed.

Thakur Hanuman Singh: I want to support the amended motion which my honourable friend Dr. Khan has proposed, i.e., that the amount be reduced by Rs. 20,000. What I desire to convey to this Council is that, in 1923-24, the number of Deputy Superintendents of Police kept in the Criminal Investigation department was four. This year the number is six. This increase ought not to have been made when there is need for money in other directions. I learn from certain quarters that in 1923-24 the provision was for six Deputy Superintendents

[Thakur Hanuman Singh.]

of Police, but owing to an omission only four were entered in the budget. But whatever that may be, the increase here in the cadre of Deputy Superintendents of Police denotes that the Police department wants to increase the number of Deputy Superintendents of Police much more than the cadre in previous years. I do not desire to repeat what my friend the mover of the amendment has said, but I may say that the Inspector General of Police will be pleased to see his way to reduce the number to what it is in the current year.

Mr. A. D. Ashdown: I will first deal with the question of Deputy Superintendents. This figure of four, which you will find in the second column, refers to the original estimate which was presented to this House last year. Subsequent to that the re-organization scheme was introduced and the re-organization scheme provided for two extra Deputy Superintendents. A supplementary estimate was presented for Rs. 10,500. So that really the number of Deputy Superintendents in the next year is exactly the same as in the present year. As regards the general charges which have been made in regard to the increase of expenditure on the Criminal Investigation department, you will find that there is actually a slight decrease. In the previous year Rs. 22,200 for the Deputy Inspector-General was not given under the Criminal Investigation department. The estimate for 1923-24 was Rs. 3,26,500, supplementary estimate for Rs. 10,500; total Rs. 3,37,000 as against Rs. 3,56,000; which includes Rs. 22,200 aforesaid. A great many points have been raised in the discussion on this motion, and with your permission, I propose to begin by discussing the points made by my honourable friend Dr. Shafa'at Ahmad Khan. He first of all suggested that we should replace the sub-inspectors of the Finger Print Bureau by clerks, and he quoted as an example that the Central Bureau at Simla was run by clerks. His information is somewhat out of date, because the Central Bureau at Simla has been abolished, and we have taken over their duties so far as these provinces are concerned; but it is a fact that searchers and checkers in the Simla Bureau were clerks. Now, there is a very serious objection, which, I know, was experienced in Simla, to the employment of clerks for these duties. The duties of a Finger Print officer entail a very great strain on the eyes. I had a Finger Print Bureau myself at Mount Abu, and before I left there I took over the Finger Print Bureau from Indore. It is almost impossible for a man to continue the duties of searching in the Finger Print Bureau for more than five or six years. In my Bureau it was a recognized thing that we had to ask for their transfer after five years. I believe I am correct in saying that when I was in charge of the Finger Print Bureau at Allahabad there were a few who lasted longer, but this is a rare exception. Now it takes six months or more to train a man for this work, and if we had clerks we could not expect them to serve for more than seven years. But we can take sub-inspectors when we wish to as we have a large force to draw upon, and when they do return they do so to useful work. So that the present arrangement is by far the most economical. As regards the number employed, there are 26 sub-inspectors. They cannot be done away with.

Dr. Shafa'at Ahmad Khan: For this work?

Mr. A. D. Ashdown : We took over the duties of the Finger Print Bureau from Simla on its termination there, so far as these provinces were concerned.

I next come to the question of the Criminal Tribes section. Originally there were four inspectors, I think, who were employed in going round to the districts, checking the work done by the Criminal Tribes sub-inspectors. They were really drawn from the districts. There are at present only two and they are temporarily there. As I said, they have been drawn from the districts and are actually the two remaining circle inspectors to be reduced. Now the services of these two officers we should be able to dispense with very shortly. When the prosecuting sub-inspectors in the districts have gained further experience of the work and the present rules under the Act as amended, it will not be necessary for these two officers to serve on in the Criminal Investigation department. But that will not effect any economy in the Criminal Investigation department.

There remain the Criminal Tribes Settlements, which I think my honourable friend probably meant. The work that used to be done by the Criminal Tribes Settlement Superintendent of Police—the duty of going round to the settlements, looking into their finances and advising them on general policy—has now been given to one of the Assistants to the Deputy Inspector-General, so that it is not possible to make any reduction on that account. The whole work now rests on the shoulders of one officer.

My honourable friend, I think, said that he did not want in any way to reduce the Special branch. Well, I will take the Criminal branch. The general idea in the re-organization of the department was that we should employ fewer officers but those officers should be of higher standing and more experience. Therefore, if this House will refer to the executive subordinates, it will see that the number of executive subordinates has been reduced from 67 to 54.

Pandit Nanak Chand : Is it not that the figures in the last year's budget were 54 for the executive subordinates?

Mr. A. D. Ashdown : Sixty seven before the re-organization scheme was introduced.

Now I think the House has already been informed that the most important duties of the Criminal Investigation department, in the Criminal branch are with regard to important crimes which do not fall within the competence of an ordinary investigating officer of the district. I may mention cases of forgery, of frauds on banks, frauds on the railways by forged railway receipts, and those false civil cases which used to be brought in other provinces against residents of this province, so that they were unable to defend them : they were very common four years ago, but I trust have now ceased.

My honourable friend talked about inter-district crime. It is not only inter-district crime but also inter-provincial crime affecting other provinces and important cases by expert criminals in our own province. Now as progress goes on, it is progress not only in the case of innocent experts, but criminals also become more expert : this is very much the case in Europe. We shall be faced with more complicated, more elaborate and more difficult frauds. I therefore assure this House that

[Mr. A. D. Ashdown.]

on the criminal side it would be disastrous to make any reduction. So if we are to cope with the experience and the up-to-date methods of the criminal classes we must, as time goes on, concentrate on this specialist side. Now, so much is this the case in England that nearly all crime of any importance is investigated by Scotland Yard. As cases get more complicated it will be necessary to get more assistance from the Criminal Investigation department and ordinary crime—pure and simple district crime—must be left to the district police. And therefore I am afraid that I can hold out no hope to my honourable friend of any reduction under the head mentioned. Now I turn to the point raised by the honourable member for Meerut regarding shorthand writers. I may say at once that this has been done and the shorthand writers have returned (from the Reid Christian College). They are now fully qualified and they have been sent to certain districts from which they can be deputed to other small districts when necessity arises, and I hope that there will be no complaints regarding misreporting of speeches in the future. It will not be because we have not got expert Urdu shorthand writers.

I find some difficulty in meeting the various points raised by the honourable member for Pilibhit. I will do my best and if I fail he will doubtless forgive me. The reasons which several members also pointed out, that the revised estimate for 1923-24 which is actually framed on the experience of eight months—not nine months—is very much lower than the estimate of the ensuing financial year is that Mr. Horton, who is the temporary third assistant not permanent, was not appointed to this post until some time in September. Several Deputy Superintendents—I am not quite sure whether two or three—were not appointed until towards the end of November. That accounts for a very considerable amount of the difference in figures. My honourable friend made some reference to the increase in servants. That is because we have put in officers of higher standing and there has been a slight increase in the number of servants. Now I turn to rewards. Rewards in the police are not paid to gazetted officers, but they are paid to inspectors, sub-inspectors, head constables and constables. Sometimes very good cases are worked out by the Criminal Investigation department, and it is only fair to those officers that they should receive something for the trouble which they have taken and something as a token of appreciation for the services rendered.

Pandit Brijnandan Prasad Misra: Will not the expression of appreciation from the Hon'ble the Finance Member suffice?

Mr. A. D. Ashdown: The amount is only Rs. 2,000. The honourable member for Pilibhit also suggested a reduction in secret service. I forget what the amount was that he mentioned, but we have already, I think, reduced a thousand rupees and it is impossible, I can assure you, to do with less.

I now turn to a few points raised by my honourable friend the Lala Sahib. I have already explained regarding the increase this year in the pay of assistants on the Deputy Inspector-General's staff as against last year. In other respects there has been a reduction, as I have already pointed out. Now I understand the honourable Lala Sahib to say that he suggested some scheme by which we might dissipate our forces

in the Criminal Investigation department over the province where they would be available at short notice. I think there are two fallacies involved in this argument. The first is, that if you dissipate your forces you must increase those forces, and the second is, that we only provide expert in special branches or crime for particular kinds of work. There may be an expert in the detection of way-bill and railway receipt forgeries. If we dissipate our forces throughout the province we would have to employ three such men instead of one. In any case I think the modern idea is to concentrate your forces, not to dissipate them. I would like to make one final remark in this connection and that is that you will notice that, although the Economy Committee report mentioned the increase in the activities of the Criminal Investigation department, it suggested no reduction whatever excepting in regard to the post of the Deputy Inspector-General.

Mr. E. A. H. Blunt: There is one point which belongs more particularly to my province which I think it is important to explain, and that is the difference of Rs. 75,000 between the budget estimate this year and the revised estimate last year. First of all, I would ask honourable members before they compare the revised estimate with the budget estimate of last year to compare the revised estimate of that year with the budget provision of the same year. They will notice that the budget estimate of 1923-24 is Rs. 3,28,500, with a supplementary estimate of of Rs. 10,500, making Rs. 3,37,000. The revised estimate is lower than that by Rs. 56,000. Mr. Ashdown has just explained the cause. There was a new scheme to be introduced last year, and the budget estimate allowed for the cost of the scheme for the whole year; but for various reasons—lack of men, lack of training—the scheme did not come into force till well on towards the end of the year—November or December. That explains the whole of the decrease between the old budget estimate and the revised estimate. Now we come to the budget of 1924-25, and I should like the House to perform a simple sum in arithmetic—to subtract the sum of Rs. 22,200 from Rs. 3,56,800, the former being the pay of the Deputy Inspector-General which is an absolutely new item shown here for the first time. The result is Rs. 3,34,400. If they will then subtract that sum from Rs. 3,37,000 they will get Rs. 2,600; therefore the budget this year is lower by that sum than the budget of last year.

Pandit Govind Ballabh Pant: The arguments that have been put forward to support the motion of my honourable friend from Pilibhit seem to me to be conclusive. But I may submit a few other points which I think have some bearing on the question that is before the House. It is very difficult to say what particular organization is at any time satisfactory in the eyes of the gentleman controlling any particular department. That is a matter on which, even if the view of laymen be correct, they can be looked down upon and in a way ignored on one simple plea, namely, the expert is infallible. Whether that is so or not I would leave to the experts to judge as they seldom agree amongst themselves. But, taking the question as it is, I would submit that for us, the non-official members of this House, the most important point is not whether the Criminal Investigation department when spending a lakh and a half more than what we wanted to spend will or will not be more efficient, but whether, when we are faced with a deficit—there is that Damocles' sword hanging over our heads which will be brandished on the 27th of this

[Pandit Govind Ballabh Pant.]

month—whether or not it is necessary for us to find out some shield; and if it is necessary, what is the best way for doing so. We will have soon to face the demand in connection with the financial measure. One important point in that connection will be the adequacy of the present funds to meet the present demand; so it is essential that some cuts should be made. For that purpose the question that the House has to face is this, which is the department which should be touched and which are the departments which should, as far as possible, be left intact? Well, I am saying all this irrespective of the constitutional issue. Now, I submit that there is no department which is more unpopular and which is doing more unpatriotic work if I may be permitted to say so than the Criminal Investigation department. Its main function lies in dragging and pushing to jail the best and purest characters in the land. It is perhaps a statement which is too bold, but I submit that that is at least the impression of us laymen that that is the main ambition of the department which inspires all its activities. So I submit that under these circumstances no other department can be more amenable to the purpose in view so far as the opinion of the general public is concerned, than the Criminal Investigation department. On that ground alone I would submit that it is very desirable that we must effect economy in this department. I submit that we must not take the spokesmen of Government too seriously, when they say that no further economy is possible. That is the usual way to meet the non-official members of the House whenever any suggestion of this character is made. But when they are driven to a corner we can trust to their ingenuity to find out ways and means. The honourable members of this House must be remembering what Sir Ludovic Porter said in 1922 when certain suggestions in respect of economy were made. He said:—"I have gone to the maximum length possible and the extent to which I have gone will, in fact, tell upon the efficiency of our work," and he added:—"I warn the members that nothing further can possibly be done." We know that something has been done thereafter and we also know that the recommendations of the Economy Committee—if they are fully accepted—will take us some steps further. So I submit that when the Inspector-General of Police tells us that no further economies are possible we should not take him at his word, not that he does not mean it, but when we make a larger drain on his ingenuity we know that he will prove equal to it, and it will be, I think, a bit unreasonable to hold that this is the most that can be done and that nothing less than this can enable Government to run the department. Taking the figures, there seems to be a lot of controversy about the revised and budgeted figure. So I leave the controversial topic and go a year beyond it. I refer members to the actuals of 1922-23. They will find that the total expenditure during that year on account of the Criminal Investigation department was Rs. 2,83,465, which is Rs. 75,000 less than what is being demanded for the next year. They will further notice that while the total expenditure under the head Police during that year was Rs. 1,73,00,000 the total demand for the current year is Rs. 1,61,00,000. So that while the total expenditure under the head Police has gone down by 12 lakhs, so far as the general departments are concerned, in respect of this particular department of Criminal Investigation department we are being asked to give about Rs. 75,000 more than what was allotted during that year. Members must also be aware of the fact that

between the years 1922 and 1923, the expenditure under village police has been almost cut down to half. So that the poor men—a large army of them—who were sustained out of these police funds have now been thrown overboard and it has been possible for the department to curtail that expenditure under that head to the extent of half. I do not see any reason why it should not be possible in the Criminal Investigation department, if the department only likes to effect this reduction. Pandit Brijnandan Prasad Misra is asking for a much lesser cut than has been applied to the village police. The total that will remain available even after this cut has been effected comes to about 2 lakhs, which when compared with Rs. 2,83,000 of the year 1922-23 would not make a very marked difference especially when you compare it with the reduction that has been affected in respect of expenditure that was incurred during that year over the beneficent departments and which is now provided for that purpose. So I submit that the proposal put forth by the honourable member for Pilibhit is perfectly reasonable. Not only the expenditure but also the number of the workers in the department has been increased. At least so far as the superior staff is concerned, and it has been observed by gentlemen who know more about the department than myself that they are not necessary. So that if we take away the expenditure that has been added this year on account of the increase in the staff and the amount that is provided for Secret Service Money—which is too secret to be in any way gauged by me—and the non-contract contingencies, which come to a very large figure, the amount of reduction suggested by the honourable member for Pilibhit will not appear to be excessive.

[The Hon'ble the President here resumed the Chair.]

The Hon'ble Mr. S. P. O'Donnell: I would just like to point out that, although the actuals shown in 1922-23 were Rs. 2,83,000, the budget figures for that year was Rs. 3,24,000. It not infrequently happens there is a difference between the budgeted figure and the actuals. For various reasons the expenditure estimated in the budget has not always to be entirely incurred. But Rs. 3,24,000 would have been the normal figure, for the Criminal Investigation department is organized on the lines accepted in 1922-23. The figure for the present year is Rs. 3,56,000 and of the difference Rs. 22,000 is accounted for by the Deputy Inspector General.

There is just one further observation that I would like to make. The honourable member who has just spoken (Pandit Govind Ballabh Pant) suggested that the main function of the Criminal Investigation department was the suppression of political activities. That is what I understood from him. Now, I had already dealt with that point; I had explained that the Criminal Investigation department had very little connection indeed with ordinary political activities beyond the fact that a certain number of reporters are in that department: if they were not in that department they would be included in the district executive force. Beyond that, the Criminal Investigation department has next to no connection with ordinary political activities. The Criminal Investigation branch deals with ordinary crime of a specially difficult character. The Finger Print Bureau is engaged in taking the thumb-impressions of criminals and the Special branch is essentially maintained for dealing with revolutionary and anarchical crime.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I rise to thank my honourable friends that non-official members for the moderation they have shown in their speeches. I have decided not to reply to my honourable friend from Pilibhit because it would not be a pleasant duty to do so. I am quite willing to accept a reduction of Rs. 20,000 in the Criminal Investigation department, not because I would allow the department to go on with less efficiency, but because I take it as an experiment of a new scheme.

The Hon'ble the President : There are three motions before the Council. One is that the demand under 26B be reduced by Rs. 57,000; the second is that the demand be reduced by Rs. 1,50,000, and the third is that the demand be reduced by Rs. 20,000.

The question is—that the demand under Account No. 26B—Criminal Investigation department be reduced by Rs. 20,000.

The motion was adopted.

The Hon'ble the President (to Thakur Hanuman Singh) : What item does motion No. 25 refer to?

Pandit Brijnandan Prasad Misra : On a point of order, Sir. After the amendment has been put to the vote, will the original motion be put to the vote?

The Hon'ble the President : No. What item does motion No. 25 refer to?

Thakur Hanuman Singh : It refers to district executive subordinates—salary.

The Hon'ble the President : Motion No. 29 in the name of Pandit Nanak Chand—what item does it refer to?

Pandit Nanak Chand : It refers to establishment—executive force.

The Hon'ble the President : Does it refer to “clerks and teachers”?

Pandit Nanak Chand : It is a total reduction.

The Hon'ble the President : I have a motion here already which refers to clerks and teachers.

The Hon'ble Mr. S. P. O'Donnell . He says it is a general motion.

The Hon'ble the President : When I take up No. 29 I will call on the honourable member.

Motion No. 30 in the name of Lieutenant Raja Durga Narayan Singh. What item does it refer to?

Lieut. Raja Durga Narayan Singh : My motion refers to clerks and teachers, district police.

Pandit Nanak Chand : I move that the demand 26—Police (District Executive force—Deputy Superintendents) be reduced by Rs. 33,000 Salaries.

honourable members will please look at page 61 of the they will find that the number of Deputy Superintendents in the present year was 34 and it is proposed to increase this

number to 40. Also if they will refer to the memorandum of the Financial Secretary at page 52 they will find at the top :—

“There is an increase of Rs. 33,000 under Salaries which is made up as follows :—

- (1) The creation of four new posts of Superintendents. Three of these were formerly employed in Rajputana. The Government of India, however, have since decided to replace them by Deputy Superintendents. The fourth post is to replace the Assistant to the Inspector-General of Railway Police.
- (2) The creation of seven new posts of Deputy Superintendents. These represent the present honorary Deputy Superintendents in charge of kotwalis in certain big cities, who are now made substantive”

It is with reference to this proposal about the seven kotwals that I want to draw the attention of the Council. This proposal is based on the recommendation of the Police Decentralization Committee which was before the Economy Committee also for their consideration, and the Economy Committee, at page 92 of their report, say with regard to this point :—

“The Committee do not however support paragraphs 51 and 52 in this chapter. They are not convinced of the necessity for substituting Deputy Superintendents for inspectors as kotwals in the large cities and they would do no more than give to Meerut the same city allowance as is now given to Bareilly”

In addition to the recommendations of the Economy Committee on this point, I wish to submit one thing for the consideration of the Government and it is that this proposal of the Government has caused a considerable amount of dissatisfaction among the Deputy Superintendents of Police. First of all they consider that the appointment of honorary temporary Deputy Superintendents of Police has to a very large extent prejudiced their position and reduced their status as gazetted officers. They also feel that the turning of the kotwals into substantive Deputy Superintendents of Police will further depreciate the status of their office. If the Government consider that these kotwals deserve promotion to the permanent rank as Deputy Superintendents of Police on account of their having discharged their onerous and responsible duties as kotwals satisfactorily, then the Government can appoint them as substantive Deputy Superintendents of Police and attach them as gazetted officers to districts, but not as kotwals. With these words I commend this motion for the acceptance of the House.

Raja Suryapal Singh : I do not know what will happen to my motion No. 36A.

The Hon'ble the President : Does it refer to supplies and services ?

Raja Suryapal Singh : Yes, Sir.

The Hon'ble the President : Supplies and services come a long way down. It will be taken later. But there is a motion No. 16A in the name of the honourable member. If he wishes, he can move this motion.

Raja Suryapal Singh : I move that the demand 26C—Police Salaries be reduced by Rs. 70,000.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I rise to a point of order, Sir. This motion is out of time.

The Hon'ble the President : Well, in a sense this motion is out of time. In another sense it is in time. It is like this. The honourable member, the Raja Sahib, is a new member. He put in a motion for reduction generally at the end of 26-C of a considerable amount. That sum, I discovered from him, was really split between several items. But owing to inexperience and unfamiliarity with the rules he has lumped them all together. At my own suggestion he has divided them. I hope the Hon'ble the Raja Sahib will not object to that.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I bow to your ruling, Sir.

Raja Suryapal Singh : I find that in spite of the Economy Committee's report, certain reductions should be made under this head. This item has been increased by about two lakhs over the amount put in for last year. I think that the Superintendents who, I understand, have returned from Rajputana should not be provided for here. Either they should go to their former places or something else in the department should be done for them. But the budget should not be increased on account of this. The other item, I think, consists of some more deputy superintendentships to be created for the kotwals who were so long inspectors or something like that. I therefore desire that Rs. 70,000 should be reduced in a lump sum from the increase of over two lakhs.

Thakur Hanuman Singh : I rise to move an amendment to the motion moved by my honourable friend, Pandit Nanak Chand, viz. that in place of Rs. 33,000 Rs. 20,000 be substituted. In moving my amendment what I have to say is that I agree with the honourable mover that there is a feeling of resentment among the Deputy Superintendents of Police that men from their cadre should be employed as kotwals in certain places. When the post of Deputy Superintendent of Police was created, it was understood that he would have the same rights and privileges as the Assistant Superintendent of Police, but in practice this has not been the case. Now officers of the same grade are going to be employed as kotwals, who always come from the grade of inspectors. If the Government desires to pay higher salaries to certain kotwals on account of the importance of their duties, then Government should create a special grade of inspectors who should be employed as kotwals in question, but they should not bear the name of Deputy Superintendents of Police. The Deputy Superintendents of Police consider it derogatory that men from their cadre should be employed as kotwals. Of course the Government will say that it is mere sentiment which will disappear bye and bye. But I submit that the Deputy Superintendents of Police entered the service with great hopes and their experience is that their prospects are not the same as they thought would be. What I submit to this House is that it should not allow any increase in the present number of Deputy Superintendents of Police, for it will create a good deal of heart-burning in the subordinate police service.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I beg to move an amendment to the motion already moved, namely, that under 26C—(Police-Salaries) the demand be reduced by Rs. 15,500.

Pandit Nanak Chand : Will the Hon'ble the Home Member kindly explain the creation of these four new posts ?

Mr. A. D. Ashdown: In the memorandum on the budget this matter is rather obscure. It is not proposed to create any new posts. It is merely intended to take back the officers who were formerly employed in Rajputana. The status of the other two appointments has changed from the rank of Assistant Superintendent to the rank of Deputy Superintendent and in consequence those three officers had to be returned to these provinces. Rajputana is going to pay for two Deputy Superintendents instead of three Assistant Superintendents. Now, the principle on which the proportion of Assistant Superintendents is fixed in relation to the superior posts is very technical and is not a suitable one to be discussed in this Council, but it seems to me, after examining the cadre, that we have an excess of Assistant Superintendents over our requirements at present in these provinces. I have reported the fact to the Local Government and I understand that they have referred the matter to the Government of India. I think I can safely say that there will be a reduction of three or four Assistant Superintendents in the cadre of these provinces, but until that takes effect we are faced with the necessity of having to pay their salaries. As regards the fourth appointment, this Council last year were pleased to sanction an extra Superintendent of Police as an Assistant to the Inspector General of Railway Police, and on the ordinary basis on which these appointments are made, there should be in consequence an extra Assistant Superintendent of Police in the cadre. As I have already said, the whole question of the cadre in these provinces is in the melting-pot, and I have no doubt that it will take some months before we shall be able to say what our cadre really should be. But even then we cannot abolish these three Assistant Superintendents of Police. They will still clamour for their pay on the 1st of the month. We shall have to make the reduction by curtailing recruitment.

Nawabzada Muhammad Yusuf: The sole object of moving this motion is to draw a statement from the Hon'ble the Home Member as to the steps he proposes to take on the recommendations of the Economy Committee. The recommendations of the Economy Committee are that the number of Assistant and Deputy Superintendents ought to be 55; that in eight districts no assistants should be given and in eight district assistants should be given; and that an extra 17 officers must be kept in reserve so that when the necessity does arise they might be given charge of districts. This is the suggestion which was made by the Economy Committee. I should like to know exactly what steps the Hon'ble the Home Member proposes to take in this direction and whether he will be willing to go so far.

Pandit Nanak Chand: I do not propose to go into the details of the recommendations of the Economy Committee at this stage because I am afraid it might take a long time. It was a revelation to me to learn from the Inspector-General of Police that he has got Assistant Superintendents in excess of the cadre. We reserve . . .

Mr. A. D. Ashdown: I do not think I said that we had an excess in the cadre. I intended to impress on the members that they were included in the cadre. I said that I believe on the calculation that would be made of these superior appointments it would be found that there was an excess in number and not an excess in the cadre.

Pandit Nanak Chand: It appears, Sir, that the Imperial Service is at present overstuffed. I reserve to myself the right to bring that

[Pandit Nanak Chand.]

question up at some future time. I think the question of Imperial Services is at present under consideration of the Lee Commission and that this Government has communicated its views on this question. I am grateful to the Hon'ble the Home Member for stating that these kotwals will not be promoted to the rank of Deputy Superintendents of Police as kotwals.

The motion that the demand "26—Police (District Executive Force—Deputy Superintendents)" be reduced by Rs. 15,500, was put and adopted.

Pandit Nanak Chand: I move "that the demand under Executive Subordinates (26C—District Executive Force) be reduced by Rs. 10,000."

If the honourable members will please turn to page 31 they will find a provision under the Head "Executive Subordinates" for Rs. 27,06,756. I presume this item includes the pay of circle inspectors reserve inspectors and sub-inspectors. The question of Indianization of the ranks of reserve inspectors was raised in the old Council on several occasions. The last time that this question was discussed in the old Council was on the 14th March, 1923, in connection with the discussion on demands, and on that occasion the late Inspector-General of Police was pleased to remark:—

"I assure the Council that there is no intention of reverting those four Indian officers, provided they prove themselves competent, and when their turn comes for confirmation, provided they are considered to have fulfilled the object for which they were appointed, they will be confirmed as inspectors."

This was said in connection with the four Indian second reserve inspectors who were then appointed. Previous to this the Hon'ble the Home Member had stated on the 25th March, 1922:—

"With regard to the posts of reserve inspectors and sergeants, I assure him that they are open to Indians and there is no reason why they should not be left open".

The Hon'ble the Finance Member while speaking during the last budget discussion stated:—

"The answer is that the reserve inspector is the chief drill instructor and it stands to reason that no man could perform the duties of chief drill instructor without some sort of training."

"Some of these have received their training in a regiment and some of them at the training school. The experiment was tried of appointing Indians directly as reserve inspectors, but it was not successful; and it was therefore decided that the best course was to appoint them as second reserve inspectors because in that way they would receive adequate training."

He further stated:—

"I understand that it was made in 1918. I wish to assure the Council that there is no question whatever of distrust of any kind of the loyalty of Indian police officers which has been tried again and again and regarding which Government has not the slightest doubt. Nor is there any question of a racial bar in regard to these appointments. We have already appointed a certain number of Indian officers; these

officers are being trained : as soon as their training is completed, and provided they give satisfaction, they will be placed in independent charge ; and as time goes on, more and more Indian officers will be appointed."

Sir, the Police Decentralization Committee recommended a reduction in the number of circle inspectors to the extent of 39. The Police Decentralization Committee proposed that to compensate the sub-inspectors for the loss of these thirty-nine circle inspectorships they should create special grades for the sub-inspectors and compensate them for the loss of these posts by increasing more opportunities for them to receive higher salaries in higher grades to be newly created under the recommendations of the Committee. This question was considered by the Economy Committee and they recommended to the Government—I will quote a few sentences from page 92 of the Economy Committee's report as follows :—

" They would also point out that for the compensation of sub-inspectors for the loss of posts as inspectors there is a more economical alternative than the creation of a selection grade. They understand that it has been decided to recruit reserve inspectors in some cases from sub-inspectors. They consider that this method of promotion should be extended, and that similarly inspectors of Railway Police might be recruited from the sub-inspectors. Such military training as is necessary to fit selected sub-inspectors for the proper performance of the duties of reserve inspectors and sergeants should be arranged for. Sub-inspectors can in this way be given the prospect of selection to as many more superior posts as they are now losing by the abolition of inspectorships, and there will be no extra cost."

Now in connection with the question of reserve inspectors I wish to inquire from the Hon'ble the Home Member as to how many more Indians have been trained for the post of reserve inspector and how many have now been given independent charges as reserve inspectors, not as second reserve inspectors. The Government resolution on the recommendations of the Economy Committee is silent on this point. It does not say whether on this point Government have accepted the recommendations of the Police Decentralization Committee for the creation of certain grades suggested by them for sub-inspectors for the loss of circle inspectorships or whether they have accepted the recommendation of the Economy Committee. If they have accepted the recommendation of the Economy Committee, I would inquire as to what arrangement has the Government made or proposes to make to provide for the necessary training for these posts.

Coming next to the question of sergeants I agree that in certain cantonments where there is a European population the presence of European sergeants is to some extent necessary and justifiable, but as regards platform duty at big stations, I think that the exclusion of Indians is not quite fair and just.

I was just discussing the question of reserve inspectors. To avoid misunderstanding I do not question the ability and efficiency of the reserve inspectors who are at present holding charges in various districts. I only wished to draw the attention of the Government to this question that this practical exclusion of Indians from the ranks of reserve inspectors is very keenly felt as an injustice and the present arrangement is not regarded as fair,

[Pandit Nanak Chand.]

There is yet another question which the Economy Committee raised and which comes under this head. They have recommended a further reduction of circle inspectors. The Government has not accepted that recommendation. The question has for a long time been before the public and the two alternatives have been discussed at length as to whether the post of circle inspector or of deputy superintendent should be abolished. The present head of the Government, His Excellency Sir William Marris, some time ago, when he was Inspector-General of Police, is said to have favoured the abolition of circle inspectors, but the Economy Committee considered that it would be a serious loss to the investigation side of the police if experienced and selected sub-inspectors were not promoted to the ranks of circle inspectors and if their services were not utilized for supervision and guidance of investigations. They thought that the present system on which the duties of circle inspectors were based was not conducive to the better administration of the police and therefore they agreed with the recommendations of the Police Decentralization Committee and suggested that further reductions be made. Government it appears has rejected that recommendation. I wish the Hon'ble the Home Member to give effect to the recommendations of the Economy Committee on that point as well. Another recommendation which the Police Decentralization Committee made was about the promotion and punishment of sub-inspectors and inspectors. Formerly these questions were decided with the approval and sanction of the District Magistrate, but now it is proposed to do away with that restriction and it is proposed that the powers of the Superintendents of Police be increased and they should be given the increased responsibility for deciding these questions. I need not go into the detailed recommendations as regards inspectors and sub-inspectors but I venture to suggest that this is a legitimate grievance. The subordinate police is feeling it very apprehensive of their future. In some cases the Superintendent of Police is a very junior officer.

The Hon'ble the President: The honourable member must be brief. He must remember this is not a general budget discussion.

Pandit Nanak Chand: I wanted to draw the attention of the Government to that point and that is why I wished to refer to it. If the honourable members will refer to the pages of the civil list, they will find that some of the present officiating Superintendents were appointed as such when they had been in service for not even three years. For these reasons I consider that the desirable restraint that existed in the form of the association of the District Magistrate in deciding questions should be retained and I hope that the Hon'ble the Home Member will give a satisfactory reply to all the points raised in the discussion.

The Hon'ble the President: There is a further motion on the paper in connection with this subject—No. 22 in the name of Khan Bahadur Maulvi Fasih-ud-din.

Khan Bahadur Maulvi Fasih-ud-din: I do not wish to move this, Sir.

The Hon'ble the President: There is also another motion No. 27 which may or may not refer to this. Rai Jagdish Prasad Sahib's.

Rai Jagdish Prasad Sahib: It refers to executive subordinates.

The Hon'ble the President: Will the honourable member either move his motion, or speak on the motion now before the House, now?

Rai Jagdish Prasad Sahib: I wanted, Sir, to invite the attention of the Government to the possibility of reducing further the number of circle inspectors with a view to economy. The Economy Committee recommended that the number should be reduced to 61, and the Government in their resolution on that report have observed that the number has been reduced by 37 and a reduction of four posts was under contemplation, but my submission is, Sir, that the Government should see their way to effect a further reduction in the number of circle inspectors with a view to their total abolition if possible, at some future date, because the general belief is that these circle inspectors have not got much to do, and that these posts are merely sinecures. Of course the main investigations are carried on by sub-inspectors, but the Government say that the investigations of sub-inspectors require supervision by superior officers. To that I may say that sub-divisional magistrates can easily exercise supervision if the inspectorships are abolished and in bigger districts where Deputy Superintendents and Assistant Superintendents are stationed these officers can exercise supervision over the sub-inspectors. With so many police officers as sub-inspectors, Deputy Superintendents, Assistant Superintendents, I do not see why Government should not see their way to further reduce the number of circle inspectors. That is what I wanted to bring to the notice of the Government and of this House.

Mr. A. D. Ashdown: I will first meet the Hon'ble Pandit's points *seriatim*. He first spoke about the Indianization of inspectors. I am sorry to say that the experiment that was initiated last year was not altogether a success. I am afraid that, in my opinion, the experiment was not conducted on the lines which promised success. I also think that a prospect of success is most desirable. As honourable members of this House are aware it is absolutely essential that a reserve inspector should be fully acquainted with English. He has to keep a large number of registers, he has to look after stores, he has to deal with accounts of money and so on. An endeavour was made to start by taking armed police sub-inspectors and making them reserve inspectors. The consequence was the difficulty of education. Only two or three in the whole force knew any English. As honourable members of this House are aware, the armed police are for the greater part uneducated, except in Hindi; and only slightly in Hindi. Now I propose to submit a report to Government suggesting an entirely new scheme. I propose to take those officers who at the training school show capacity for field work, outdoor work, and who gain drill prizes and riding prizes and so on. To avoid any failure, I will take several officers and give them the ordinary training of a sub-inspector as investigating officers. In addition I will give them extra training in reserve work, so that they will then not be entirely useless in investigating cases if all of them are not successful in reserve work. I will also give them some training in field work and six months in the army and then make them reserve sub-inspectors. If they prove their ability they will get charge of the reserve lines as inspectors. By that means I hope to ensure success. I cannot promise that all this is going to happen in twelve months. I notice that the Hon'ble Pandit inquired whether any of these men had become reserve inspectors. I can assure the Pandit that the ordinary European reserve inspectors do not become

[Mr. A. D. Ashdown.]

independent reserve inspectors in the course of only one year. However that is another point.

What I propose to recommend to Government is that I should draw up a scheme that promises a fair amount of success and which would contemplate a material Indianization of the reserve inspectors in the police force. I would examine the district staff and would consider what our requirements are from the point of view of Europeans and from that of Indians, and I can assure this House that I hope to submit the report to Government in a very short time.

I now take the next point made by the Hon'ble Pandit, that is the question of divisional inspectors. That question does not exactly arise under this head, but I may dispose of it now, so that we may get on quicker later on. Down in Rajputana I have had experience of Indian divisional inspectors and I can say that they were successful. I may inform the House that there are two Indian divisional inspectors in this province out of a total of 14. They have also been a success, and I can see no reason why the scheme of increasing their number should not be carried further. I propose to put in further sub-inspectors, as vacancies occur, from the Government Railway Police, who have had the necessary experience taking those that have already been selected for promotion to inspectorship.

The Hon'ble Pandit referred to the question of sergeants being on platform duty—I think the Hon'ble Pandit is under a misapprehension. Sergeants are not the only officers employed on platform duty. They are only employed to supplement Indian officers who are on platform duty. I think you will find in the Railway Police Manual, though I have not looked up that Manual, that it distinctly says that sub-inspectors of police have also to do platform duty at stations. As my predecessor said in this Council last year, sergeants in the Government Railway Police are there in a comparatively small proportion to supplement sub-inspectors in the Railway Police in case there should be any trouble with European soldiers or other Europeans. I am afraid that I have not prepared a very comprehensive note on what the Hon'ble Pandit has said about the selection grade, but it is a fact that a grade has been created of sub-inspectors at $2\frac{1}{2}$ per cent. namely, 46, on Rs. 150 and the percentage on Rs. 125 has been raised from 5 to $7\frac{1}{2}$, while the percentage on Rs. 100 has been reduced from 20 to 15.

Now I come to the point raised by the other honourable member who spoke. I think it was the honourable member for Muzaffarnagar. He spoke about the reduction of circle inspectors recommended by the Economy Committee. I think there was some misapprehension in the mind of the Economy Committee regarding the real duties of the circle inspector. I see that they say in their report that he is apparently merely an investigating officer. Now the real work of the circle inspector is that he should make his sub-inspectors work. That is his first duty. The second is, when crime is concerned with two or more police circles, he should co-ordinate the work of the sub-inspectors of these circles. Now, he can only supervise the work of sub-inspectors by very close inspection of police stations and of the surveillance of bad characters and other persons actually in the village, so that he can see whether sub-inspectors are looking after the men they

should look after, and who are really criminals. He has in addition to co-ordinate efforts in preventing crime. Now, we have only just reduced the number of inspectors from 121 to 82 and that reduction has only recently been given effect to. We are at the same time giving effect to other reductions which have been approved by Government and by this House. To put it plainly, we do not exactly know where we are at present. It is very difficult to say whether any further reduction of circle inspectors can or cannot be made. For instance, these reductions have only just been effected and yet I have had complaints from the Etah district, which is to the knowledge of this House the most criminal district in the province—from the Commissioner, the District Magistrate and the Deputy Inspector-General of Police that you cannot run Etah with the one circle inspector who is left to do this work. Similarly from Aligarh I am told that two men cannot do the work. Rae Bareli is the most criminal district in the whole province in the matter of dacoities and it is said it cannot be run by one circle inspector. I would urge that I be given an opportunity of looking into this matter. I may assure the House that if I find that circle inspectors are not needed in a particular place I shall send them to Etah, Rae Bareli or as required. If I find I am really short I will come up for the necessary increase.

There is another point and that is in regard to the punishment of sub-inspectors. The District Magistrate was a kind of fifth wheel or rather the third wheel of the bicycle and he has been taken out. Appeals still come in; there are just as many appeals in the last few months as there were previously. No Superintendent of Police can dismiss an officer of the rank of sub-inspector without going to the Deputy Inspector-General, and no Deputy Inspector-General, as far as I know, ever upholds any punishment without an appeal coming to me. I do not think myself there is any alarm on the part of the subordinates; if, however, I learn that such alarm does exist I will issue orders that the Deputy Inspector-General hears the accused in every case before writing his final order.

The motion was then put and negatived.

Rai Bahadur Thakur Mashal Singh: I beg to move that the amount of Rs. 3,69,373 provided for house rent and other allowances under "Miscellaneous Allotments of 26C—District Executive Force" be reduced by Rs. 17,000.

On a reference to page 61 of the detailed estimates the honourable members will find that the allotment under this head for the year 1923-24 was Rs. 36,487, and the revised estimate amounted to Rs. 34,000. Now it has been raised to Rs. 50,363. I have therefore proposed a reduction to revert to the estimate of the current year.

The motion was put and adopted.

Rai Bahadur Thakur Mashal Singh: I beg to move that the amount of Rs. 50,363 for General Police—Constabulary, under "Detailed Account No. 26C—District Executive Force"—be reduced by Rs. 14,000.

Here again there is a difference between the estimates of the current year and the figures for the next year. I simply want that no further increase should be made for the next year, especially in these days of financial stringency. There is no other ground for moving this reduction.

Mr. A. D. Ashdown : The charges on this account are entirely met under receipts. They are for providing various guards. The increased cost is due to the fact that this year we shall have to provide increased guards chiefly for the Sarada canal and other places and whatever we spend under this head we shall receive under receipts.

The motion was, by leave of the Council, withdrawn.

Rai Bahadur Thakur Mashal Singh : I beg to move that the amount of Rs. 3,43,790 provided under " Clerks and teachers of District Police (Detailed account No. 26C) " be reduced by Rs. 15,000.

The estimate for the current year amounts to Rs. 3,28,284, and this year it has been increased to Rs. 3,43,790. I desire to revert to the figure of the current year. The number of clerks has decreased from 609 to 550. The increase therefore does not seem to be justified.

Lieut. Raja Durga Narayan Singh : Sir, I want to move . . .

The Hon'ble the President : Will the honourable member support the motion which has just been made? His motion is to similar effect.

Lieut. Raja Durga Narayan Singh : Yes. I support the motion moved by my friend from Hardoi. I have nothing more to say than what has been said by the Economy Committee in its report in this connection. When we look in the Economy Committee's report we find these remarks :—

" The Police Decentralization Committee also dealt thoroughly with the question of the clerical strength of the district offices, the cost of which, as shown in our statement, has risen considerably. They have proposed substantial reductions but at the same time they recommend an increase of pay. In the letter dated the 21st August, 1923—which we have addressed to the Government, we have given reasons for opposing these increases of pay."

When this has already been opposed by the Committee, there is no ground for us to pass this amount. I was rather nervous in supporting my honourable friend's motion because I thought that by additional reduction the item may not be acceptable by the Government. But if I be fortunate enough to get the weighty support of this House I am sure the motion moved by my honourable friend from Hardoi will be passed.

Mr. A. D. Ashdown : On behalf of Government I am authorized to accept the reduction.

The motion was put and adopted.

Pandit Nanak Chand : I want to make a small alteration in my motion, Sir,—to substitute Rs. 5,000 for Rs. 40,000.

The Hon'ble the President : Then the motion is that a reduction of Rs. 5,000 be made.

Pandit Nanak Chand : Yes. I move that the demand under 26C—District Executive Force—Establishment—be reduced by Rs. 5,000.

My original motion covered clerks and teachers also, which has been covered by the previous motion; therefore I move this motion after reducing the figure. The revised estimate for the present year is Rs 52,000 and the budget estimate for the next year is Rs. 60,896. I think Government can easily make a reduction of Rs. 5,000.

Mr. A. D. Ashdown : I am authorized on behalf of Government to accept the reduction.

The motion was put and adopted.

Pandit Nanak Chand: I move that the demand under 26C—"District Executive Force" be reduced by Rs. 45,000 under allowances. If the honourable members will please turn to page 32 they will find that the budget for the present year was Rs. 10,20,000. For some exceptional reason the revised figure has come to Rs. 10,65,000. I consider that the Government can budget for this year also the same amount as they had last year, i.e., 1923-24, and accept this reduction of Rs. 45,000.

Mr. A. D. Ashdown: The figures quoted by the honourable Pandit were exceeded to the extent of nearly half a lakh for which a supplementary estimate was put down the other day. I can say to the honourable Pandit that every effort will be made to cut down expenditure. But a great part of this sum goes to the police force and certainly not for officers, and it is extremely difficult to curtail it. I will however endeavour to see that every economy will be made and I hope that the honourable the mover will see his way to accept this assurance and withdraw his motion.

Pandit Nanak Chand: I do not propose to press the motion.

The motion was, by leave of the Council, withdrawn.

Rai Bahadur Thakur Mashal Singh: I beg to move that the amount of Rs. 2,62,000 provided for clothing under "Supplies and Services" detailed account No. 26C be reduced by Rs. 12,000. In connection with this amount I have not much to say. I only ask the Government that as this provision is for clothing the Government should cut its coat according to the cloth at its disposal.

Mr. A. D. Ashdown: This item is on account of clothing. For many years we have reduced our demands on account of financial stringency and we have never been able to keep up to the full programme. It is reported from very many districts that many of the men are in rags. I think that although it is correct to say that Government should cut its coat according to the material available, I do not think it is wise to cut the cloth of the constable's uniform so much as to result in our men going in rags. I promise the honourable member that if he will withdraw his motion I will see what economy is possible in this direction.

Rai Bahadur Thakur Mashal Singh: I beg leave of the House to withdraw the motion.

The motion was, by leave of the Council, withdrawn.

Lieut. Raja Durga Narayan Singh: I beg to move that the demand under "Supplies and Services" regarding the purchase of remounts (26C—District Executive Force) be reduced by Rs. 5,000. I was surprised to know from the detailed estimates on page 63 that a provision for remount has been kept every year. It was Rs. 3,804 in 1922-23 while in 1923-24 it was Rs. 7,250 in the budget estimate. In the revised estimate of 1923-24 it was Rs. 7,000 and now the amount has gone up to Rs. 9,850.

The Hon'ble the President: The motion will be taken up later.

Thakur Hanuman Singh: I rise to move that the demand of Rs. 10,28,700 (26C—Supplies and Services) be reduced by Rs. 20,000. I invite the attention of the honourable members to page 62 of the detailed estimates where they will find under the head "Supplies and Services"

[Thakur Hanuman Singh.]

a sub-head "Lodgings". For the current year Rs. 55,000 was provided and for the next year the amount has been increased by Rs. 20,000. I wish that the increase proposed should be disallowed. At the same time I desire to know for what purpose the amount is to be utilized. On page 61 provision has already been made for house rent and other allowances and here again an amount is asked for under the head "Lodgings".

Mr. A. D. Ashdown: I may inform the honourable mover that the item referred to by him on page 61 is for house rent and other allowances and that the sum of Rs. 75,000 asked for under the head "Lodgings" is meant to pay for lodgings. The actual position is that at the present moment we have sanctioned allowances up to the amount of Rs. 82,262 and we are actually asking for Rs. 7,000 less. In these circumstances I hope the honourable member will withdraw his motion.

The motion was, by leave of the Council, withdrawn.

Pandit Nanak Chand: I move that the demand under "26C—Police—District Executive Force (Supplies and Service)" under the head "Petty construction and repairs" be reduced by Rs. 8,000.

If honourable members will please turn to page 62 of the detailed estimates, they will find that the revised estimate for the current year is put at Rs. 2,11,000, while the amount proposed for next year is Rs. 2,20,700. I hope, however, that in view of the present financial stringency and the fall in prices, the Hon'ble the Inspector-General of Police will accept this reduction.

Mr. A. D. Ashdown: I am authorized on behalf of the Government to accept the proposed reduction of Rs. 8,000.

The motion was put and adopted.

Rai Bahadur Thakur Mashal Singh: I beg to move that the amount of Rs. 1,40,000 under "Railway fare and carriage of police escorts (Supplies and Services Detailed account No. 26C)" be reduced by Rs. 8,000.

If honourable members will look at the detailed estimates, they will find that there is an increase of Rs. 8,000 over the current year's budget. I wish that in view of financial stringency this increase be cut. In case necessity arises of further expenditure, the Government can come up before the Council with an additional grant in the shape of a supplementary estimate.

Mr. A. D. Ashdown: The expenditure under this head is very much the same as under travelling allowances. It is very difficult in fact to see any difference between the two, except from the accounts point of view, and for the reasons which I gave when a motion was made for a reduction in travelling allowances, I am unable to accept this reduction. I shall, however, do my very best to limit the expense to the minimum under this head. I am sure that if the proposed reduction is accepted, Government will have to come up before long with a supplementary estimate. In the circumstances I trust the honourable member will see his way to withdraw his motion.

Rai Bahadur Thakur Mashal Singh: I beg leave to withdraw the motion.

The motion was, by leave of the Council, withdrawn.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Saturday, the 15th March, 1924.

THE Council met in the Council Chamber, Lucknow, at 11 a.m. The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. E. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. A. B. Reid.
Mr. A. G. P. Pullan.
Mr. H. G. Billson.
Mr. A. D. Ashdown.
Lieut.-Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad Ejaz Rasul Khan.
Raja Bahadur Brij Narayan Rai.
Mr. H. C. Desanges.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Rai Bahadur Lala Sita Ram.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Lala Babu Lal.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Bahadur Pandit Kharagjit Misra.
Raja Suryopal Singh.
Babu Nemi Saran.
Chaudhri Badan Singh.
Chaudhri Sardar Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.

Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Hukm Tej Pratap Singh.
Rai Bahadur Pandit Balbhadra Prasad
Tiwari.
Pandit Sri Krishna Dutt Paliwal.
Pandit Yajna Narayan Upadhyaya.
Raja Sri Krishna Dutt Dube.
Babu Dip Narayan Roy.
Thakur Hanuman Singh.
Raja Indrajit Pratap Bahadur Sahi.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Dr. Jaikaran Nath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Kunwar Surendra Pratap Sahi.
Rai Bahadur Babu Shankar Dayal.
Dr. Muhammad Nain Ansari.
Mr. Muhammad Aslam Saifi.
Rao Abdul Hameed Khan.
Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Kunwar Inayat Ali Khan.
Maulvi Obaid-ur-Rahman Khan.
Hafiz Hidayat Husain.
Mr. Masud-uz-Zaman.
Nawabzada Muhammad Yusuf.
Dr. Shafa'at Ahmad Khan.
Saifyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Mr. Ashiq Husain Mirza.
Khan Sahib Munshi Siddiq Ahmad.
Lieut. Shaikh Shahid Husain.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Shaikh Abdus Samad Ansari.
Mr. St. George H. S. Jackson.
Lala Mathura Prasad Mehrotra.
Lieut. Shaikh Imtiaz Rasul Khan.
Thakur Jagannath Bakhs Singh.
Sir Thomas Smith, Kt., V.D.
Mr. Tracy Gavin Jones.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

COUNCIL RESOLUTIONS.

*1. **Mr. Ashiq Husain Mirza** : Will the Government be pleased to state how many resolutions were passed by the last Council, how many were accepted by the Government, and how many are still under consideration of the Government?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given later.

PROMOTION OF IRRIGATION ENGINEERS.

* 2. **Mr. Ashiq Husain Mirza** : (a) Will the Government be pleased to state on what basis promotions are made and candidates selected for promotion by the Irrigation Selection Board?

(b) Is it a fact that last year an Executive Engineer was promoted and made a Superintending Engineer over the heads of four senior Executive Engineers in the Irrigation department?

(c) Is it a fact that his promotion was stopped in the past? If so, why?

The Hon'ble Mr. S. P. O'Donnell : A reply will be given at a later date.

REPORT ON IMPROVEMENT TRUSTS.

* 3. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to supply the members of the Council with the report of Mr. Grant on Improvement Trusts?

The Hon'ble Rai Rajeshwar Bali : This has already been done.

* 4. **Dr. Shafa'at Ahmad Khan** : Do the Government intend to carry out the recommendations of Mr. Grant? If so, when? If not, why not?

The Hon'ble Rai Rajeshwar Bali : A final decision has not yet been reached in regard to the trusts.

INCOME FROM WAQFS.

* 5. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state the approximate income of the various waqfs in these provinces?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Detailed information is not available.

MUSALMAN WAQF ACT.

* 6. **Dr. Shafa'at Ahmad Khan** : By what measures does the Government intend to act on the resolution of the Legislative Council that was moved on the 27th February, 1924, regarding the enforcement of the Musalman Waqf Act in these provinces?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The resolution is under the consideration of Government.

PROVINCIAL POLICE CONFERENCE.

* 7. **Dr. Shafa'at Ahmad Khan** : Is it a fact that no action has been taken on the representations of the Provincial Police Conference ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No representation from the Provincial Police Conference has been received by Government.

PUBLIC WAQFS AND MUTAWALLIS.

* 8. **Dr. Shafa'at Ahmad Khan** : Is it true that many of the public waqfs have become the private property of the mutawallis ? Will the Government be pleased to state if it has devised or intends to formulate measures for ascertaining this ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) Government have no information.

(b) There is one of the matters which would be considered in connection with the resolution referred to in question No. 6 of today's date.

* 9. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to collect all the information which the district officers can gather together on this point through the qanungos and other subordinate officials and publish it at the earliest possible moment ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The honourable member is referred to the reply to question No. 8 of today's date.

SEGREGATION OF LEPERS.

* 10. **Dr. Shafa'at Ahmad Khan** : Why does not the Government devise effective measures for the segregation of lepers in these provinces ? If an Act is necessary, will the Government be pleased to bring in a Bill without delay ?

The Hon'ble Rai Rajeshwar Bali : A scheme for the segregation of lepers exists, but has been shelved for want of funds and not for want of legal powers.

PROVINCIAL CONTRIBUTION.

* 11. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state if it has represented to the Government of India the necessity of a reduction in the provincial contributions to the Government of India ? In what proportion will the share of this province be reduced ?

The Hon'ble Mr. S. P. O'Donnell : Government have represented the desirability of reducing the provincial contributions to the Government of India on more than one occasion and in more than one form, though not recently.

The method of apportioning the shares of the various provinces in any reduction is described in Devolution Rules 17 and 18.

UNSTARRED QUESTION.

TAHSILDAR, MALIHABAD (LUCKNOW).

1. **Babu Ram Chandra Sinha** : (a) Is it a fact that the present tahsildar of Malihabad has been given an extension recently ?

(b) Has the extension been given for the first time ?

(c) If the reply to (b) be in the negative, will the Government be pleased to state how many extensions have been given previously and for what periods?

(d) Will the Government be pleased to state its policy regarding such extensions?

(e) Is it a fact that on the occasion of the extension recently granted a dinner and *nautch* party was given to the tahsildar?

(f) Was any public subscription realized for the same?

(g) Who realized this subscription and what was the amount collected?

(h) Had the Nawab of Sahlamau and the police any hand in this collection?

(i) Did a respectable tenant express his inability to subscribe?

(j) Did the tenant receive injuries as a result of merciless beating?

(k) If so, did the police refuse to write his complaint when approached to do so?

(l) Was any telegram received by His Excellency the Governor from the tenant so beaten?

(m) Does the Government contemplate taking any action in the matter?

(n) If so what?

Mr. C. E. D. Peters: (a) Yes.

(b) No.

(c) Three; of one year each.

(d) Due regard to the continued efficiency of the officer concerned, and economy.

(e) Yes. An entertainment was given.

(f) It is understood that private subscriptions amounting to Rs. 610 were collected, of which sum more than half was subscribed by the Nawab of Malihabad, by Khan Bahadur Muhammad Yusuf Khan, and Thakur Chandika Bakhsh Singh.

(g) The honourable member is referred to the answer to part (f). It is understood that most of the subscriptions were realized by the Nawab of Malihabad.

(h) The honourable member is referred to the answer to part (g). There is some reason to think the late station officer of Malihabad also endeavoured to assist in the matter of subscriptions.

(i) and (j) It is not clear to what "respectable tenant" reference is made. One Ramai of Majausa is alleged to have been beaten. In what circumstances it is not clear. When first examined by the sub-divisional officer on 1st March he stated that he was beaten because he was a strong non-co-operator and that this occurred five days after the party. On the 2nd March when his statement was again recorded at Majausa by the sub-divisional officer he said that he was beaten because he did not subscribe to the party (The inference is that he was tutored in the interval).

(k) Inquiry shows that no complaint was made to the police.

(l) Yes.

(m) and (n) The tahsildar appears to have infringed rule 3 of the Government Servants Conduct Rules. His explanation will be taken, and orders passed when this has been considered. The station officer has been transferred. The tenant above referred to (Ramai) has his remedy in court. He was advised to file a regular complaint, but has not done so.

THE BUDGET, 1924-25.**DISCUSSION OF DEMANDS FOR GRANTS—****Demand No. 9.****HEAD 26.—POLICE.**

Lieut. Raja Durga Narayan Singh: I move that the demand under "Supplies and Services" regarding the purchase of remounts (26C—District Executive force) be reduced by Rs. 5,000. I find from the budget that every year a large amount is allotted for the purchase of remounts. In 1922-23 the amount was Rs. 3,804; in 1923-24 it was Rs. 7,250; in 1923-24 Rs. 7,000; and this year it is Rs. 9,850. I understand that when the deputy superintendents of police go to Moradabad for training they are supplied with livery and horses. I want to know from the Hon'ble the Home Member as to what becomes of those horses. Do the deputy superintendents of police take the horses back to their districts where they are posted or do they leave them in the training school? As regards the livery, I am sure it cannot be given to any other person. I would therefore request the Hon'ble the Home Member to supply me with the information on this point.

Mr. A. D. Ashdown: On first appointment assistant superintendents and deputy superintendents are given grants by Government to purchase uniform, saddlery, and horses. In 1922-23 this amount was debited to contingencies—non-contract. In 1923-24 the amount for deputy superintendents was debited to this grant. That accounts for the increase. This year the assistant superintendents also are debited to this grant. Rs. 7,850 represents the existing requirements for five assistant superintendents and four deputy superintendents who, we believe, will be under training in the Police Training school this year.

Lieut. Raja Durga Narayan Singh: What will be the cost of horses and for the liveries of these five assistant superintendents?

Mr. A. D. Ashdown: Government gives a grant which comes to Rs. 7,850 for nine officers. That is the actual amount, and the balance is for the purchase of remounts for the Training school. There are thirty remounts in the Training school. They are very hard-worked and they do not last for more than five years. This is my personal experience. Thus this increase is really no increase at all. It has been taken from non-contract contingencies spread over two years. In the circumstances I hope the honourable member will withdraw his motion.

The motion was, by leave of the Council, withdrawn.

Pandit Nanak Chand: I move that the demand under "26C—District Executive Force—Police Training school" be reduced by Rs. 1,000.

If the honourable members will please turn to page 63 they will find that under the head "Travelling allowance" the actuals for 1922-23 were Rs. 612 and the budget and revised figures for the present year are Rs. 2,000. For the next year it is proposed to have Rs. 1,950. I think there is a considerable rise under this head over the accounts of 1922-23 and I therefore request the Inspector-General of Police to accept a reduction of Rs. 1,000 under this head.

Mr. A. D. Ashdown: The amount of travelling allowance entered in the budget is mainly expended on assistant superintendents. When they

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join from England they are entitled to the ordinary travelling allowance for the journey from Bombay to Moradabad. The amount of travelling allowance varies every year according to the number of assistant superintendents coming out. To the best of my knowledge, Rs. 1,850 will not be sufficient: I have doubts about it. I certainly am unable to accept any reduction under this head. I hope that in the circumstances the honourable member will withdraw his motion.

Pandit Nanak Chand: In view of the explanation given by the Inspector-General of Police I do not wish to press my motion.

The motion was, by leave of the Council, withdrawn.

The Hon'ble the President (Pandit Brijnandan Prasad Misra): To what particular item does this motion refer? [to reduce the demand under Head 26C—Police—by Rs. 6,00,000.]

Pandit Brijnandan Prasad: It refers to several items.

The Hon'ble the President: Then it cannot be moved. The Council has already decided that it will go item by item. Honourable members cannot go behind that decision. Consequently the honourable member cannot now move a lump reduction.

The motion was not moved.

The Hon'ble the President: The next motion stands in the name of Hafiz Hidayat Husain. To what item does it refer?

Hafiz Hidayat Husain: It refers to general policy.

The Hon'ble the President: Then the honourable member should move for a reduction of Re. 1 only instead of moving for a reduction of Rs. 500.

Hafiz Hidayat Husain: I beg to move that the demand (26C—Police District Executive Force) be reduced by Re. 1.

My point with regard to this motion is that I want to inquire as to what steps the Government proposes to take to make the police more popular with the public than it is at present. Now, Sir, fortunately for us, the police at the present moment is under the direction of the Hon'ble the Raja of Mahmudabad, about whose independence and sanity of judgment none of us can have two opinions, and it is also under the control of Mr. Ashdown, one of the very best officers of the department who has ever been in this province. I say this for I know something about him, as he was for some time at Cawnpore where I come from. Now, the reasons why the police is not very much in favour with the public are these. The police does not consider itself to be the servant and protector of the public. On the contrary, it thinks itself to be the master of the public and whenever people have got something to do with the police, all sorts of harassments are put in their way before they are allowed to do anything for the object with which they have gone to the police, for instance if a man has to make a report to the police, his report—I am talking with a certain amount of personal experience—is not recorded until he makes an offer to the police. The second point is, that when the investigation begins, in that investigation all that is required to be done fairly and squarely is not done. On the contrary, methods are resorted to which are anything but fair and

square. When a case goes to the courts, the witnesses are tutored by the police with the result that the evidence given there is mostly false. These are the points that relate only to the administration of justice. There are other points. For instance, the police is much too obtrusive. I do not think that after 1913 this has been the misfortune of Cawnpore, but this misfortune does exist in other places where the police is more obtrusive than attentive to its own duties. The other point which I wanted to make out was that the police might be told to confine itself to its legitimate duties and its proper limits. The police ought to be informed what its obligations to the public are, how it has to behave towards the public, and what its duties should be in matters when crimes are reported to it and when a case is investigated by itself and further when a case is sent up by a magistrate. I have no doubt, Sir, that there are certain difficulties in the way of the police. The police here do not get that amount of assistance from the people which they are perfectly entitled to get. I know also that it would be futile to compare the police of India with the police of Western countries, for instance, a "bobby" in London has got more influence and commands more trust than even an inspector of police and probably even a superintendent of police in India enjoys, but there is no doubt that these are things which can be improved; there are opportunities which ought to be availed of to bring the police more and more into the confidence of the public than it has hitherto been.

Mr. A. D. Ashdown: I venture to think that the points raised by honourable friend are all matters which depend on training. It came to my notice many years ago when I was in the Training school that the training of the sub-inspectors had not advanced since the Training School was first instituted and at that time it received my consideration. I submitted certain recommendations to the Inspector-General, but owing to want of funds it was not possible to carry them out. I am now speaking of the superior executive officers of the rank of sub-inspectors and above. On my return to these provinces I found on visiting the Training school again that no advance had been made in this matter. It has been under my consideration since I took over charge and I have called a Conference of ex-Principals and Deputy Inspectors-General at Moradabad next month when we propose to consider the revision of training without imposing any extra cost on the provincial exchequer and to submit proposals to Government.

I next come to the case of constables. I admit that what my honourable friend has said has, I regret to say, a considerable amount of truth in it. I was first asked to consider this question by His Excellency when he was Inspector-General and in consequence I drew up a new scheme of training for constables. As a matter of fact their training of constables up to that time had not in any way altered since the sixties when the police in these provinces were first organized. I drew up a scheme, the idea of which was to increase the intelligence of the force, to impress on them that they are the servants of the public and not dressed with a little authority merely to oppress their compatriots, to raise the standard of intelligence and, if possible, of literacy throughout the force. In 1919, I think it was in 1919, when I was not in the provinces, Government introduced the scheme with twelve teachers from the Education department to commence the experiment in the schools in six districts. That experiment has been a success and to complete the experiment and introduce it throughout the provinces we went up to the Council

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for 111 teachers last year. That was postponed owing to the financial stringency for twelve months. We have now included it in the budget and the Council has been pleased to grant that amount. We now hope to extend the experiment so that when I face the Council with my budget next year, I shall be able to say that that experiment is in full swing throughout the districts in the province.

Of course this defect, which has been commented on by my honourable friend will take many years before it can be remedied altogether, but it is obvious that we must make a beginning and as the general education of the public and the general community advances, it is most essential that the police, comprising over thirty-three thousand officers and men, should also improve in intelligence and education and realize their full responsibility more effectually than they do at present.

In view of these remarks I hope my honourable friend will withdraw his motion.

Khan Bahadur Maulvi Fasih-ud-din : I think that no department has been subjected to a closer scrutiny during the past few years than the Police department, and in my opinion no department is deserving of a close scrutiny both now and in the future as this department. We find that a large number of committees were formed during the last two years in order to overhaul the whole question of the police and the recommendations of those committees vary very widely in matters of detail, though they agree in matters of principle. We find that the expenditure of the police, which used to be about 167 lakhs in the pre-Reform days, suddenly rose in 1921-22 to 181 lakhs, but after this there was a gradual decrease, and the present figure now stands at 161 lakhs. On a closer scrutiny of the various decreases that have been effected in the various branches of police work I find that the wretched village chaukidar has contributed enormously to this decrease. If the Government decides once for all that the institution of these village chaukidars....

The Hon'ble the President : We have not come to village chaukidars yet.

Khan Bahadur Maulvi Fasih-ud-din : I am referring to the general policy. What I want to say is, that if Government decided once for all that the institution of village chaukidars....

The Hon'ble the President : We have not come to chaukidars.

Khan Bahadur Maulvi Fasih-ud-din : I only meant to say that the decrease should not have fallen so much on the village chaukidars because they are very useful in order to supply information to the police.

The other point I wish to discuss is that the cry for the abolition of superintendents of police dates back 15 or 20 years but the cry has proved to be a cry in the wilderness, for the simple reason that the Government has not been able to find any officer to take up the work of superintendents of police. Now that the district officer has been considerably relieved of his legitimate duties in connection with municipal boards and district boards, I think it is high time for Government to think of the abolition of at least the four posts in the four districts which have been suggested by the Economy Committee.

The Hon'ble the President : We have dealt with those points already. Points already dealt with by the Council and voted on are not in order now. When we come to discuss police altogether there may be an opportunity of discussing this.

Khan Bahadur Maulvi Fasih-ud-din : The most important matter which I wish to bring out in connection with police administration is one that has been brought out by the honourable member for Cawnpore and it is that the police should be more in touch with the popular feeling. The Hon'ble the Inspector-General of Police has given us an assurance that he is trying to formulate a scheme in order to remove this difficulty, and I think it is very high time that immediate steps should be taken in this direction. If the police is to keep pace with the times it must raise its tone in the matter of efficiency and its detective work. We know that public opinion is growing day by day. The Press is now a stronger weapon in the hands of the journalist than it used to be some time ago. The platform speaker is not now the imbecile creature he was thought to be in the pre-War days but has enforced respect from all quarters. In these circumstances it is high time that the police should not only be in closer touch with the public but should also improve its detective work. I suggested yesterday that the Criminal Investigation department was a very good department for improving the tone of the detective work of the police. The honourable member for Bulandshahr objected to this proposal of mine on the ground that the Criminal Investigation department had nothing to do with the training of police officers in the matter of detection. I submit, Sir, that the very fact that there is constant interchange of investigating staff between the regular police and the Criminal Investigation department is itself a great impetus to the improvement of police officers in the matter of detection. I know, and I feel that the present police officer is a very poor detective and for that reason he does not command the respect of the public at large. The very annual report of last year shows that the police officer is not improving, if he is not actually deteriorating, in this particular respect. Government had to offer a sound rebuke specially as regards the detective work in connection with murder cases, though it astonished the police and public by saying that this was also due to the apathy of the public at large. I think the police officer lags far behind in this particular connection, and the sooner satisfactory arrangements are made in this connection the better for the prestige and the good name of the police.

Thakur Sadho Singh : I regret that I take quite a different view of the fact. My view is that superior officers—superintendents of police and deputy superintendents of police—do not take so much care of this fact as they do of other matters in concern with the police. And the other fact is that the system of administration of justice is such that it indirectly hardens the criminals, encourages crime in a way. When people begin to take to theft and other petty crimes they do not receive deterrent punishment nor can they be checked effectively under the present system, and when held up under section 110 or other serious crime after a long time when they have committed any number of these crimes, the public is unable to back the police, and if circumstances are created such that these defects be removed, the public would enforce their own opinion upon sub-inspectors or any other officers of the police. These defects become the greater on account of a very large number of honorary magistrates who are appointed indiscriminately,

[Thakur Sadho Singh.]

perhaps on communal considerations or other personal or political considerations.

The motion that the demand (26C—Police—District Executive Force) be reduced by Re. 1, was put and negatived.

Thakur Hanuman Singh : I rise to move that the demand of Rs. 15,87,408 under "26D—Chaukidars" be reduced by Rs. 50,000. From the motion that I have just moved it will be seen that I have moved it in an amended form. It has been decided that chaukidars should be reduced in number gradually, so that eventually they may be abolished altogether. If it is so, then I think the decrease in their number should be more rapid than it is at present. It should be more rapid because we want to make up the deficit in the budget. My honourable friend Maulvi Fasih-ud-din has been pleased to say that chaukidars are very useful in taking information to police officers. They do take information to police officers, but it is not the only duty for which they are paid. They are supposed to keep watch and ward of villagers and to keep an eye on village bad characters, which they seldom do. If Government finds some other way for conveying information to police officers than through the chaukidars, then I think our finances will be very much relieved if chaukidars be reduced to a very small number. I do not desire to say much on this subject.

Nawabzada Muhammad Yusuf : I beg to move that the demand of Rs. 15,87,408 under "26D—Chaukidars" be reduced by Re. 1. If the honourable members will be pleased to turn to page 64 of the detailed estimates they will find that the number of chaukidars provided for the budget year 1923-24 was 51,929 and that for the year 1924-25 is 43,793. That is to say, the figure has come down by about 8,138 and this involves a reduction of expenditure by Rs. 1,78,000. Sir, I am aware of the fact that in many directions chaukidars are very much found fault with and it is said that they exist simply for giving information to police officers and they really do not do useful work and therefore their abolition will be conducive to great economy. Sir, I am unable to agree with my honourable friend the mover that the number of chaukidars should be reduced to such an extent that the efficiency or importance of this system may be impaired. I can understand the view of those who are in favour of the total abolition of the chaukidari system and of replacing it by a system which will be more efficient and likely to serve better purpose than the chaukidari system has done. I can have no objection to it. I have here the recommendation of the Police Committee that this system of chaukidari ought to be replaced or substituted by another system by increasing the number of the police force and thus bringing about a better police administration in the rural areas, but that would involve very heavy expenditure. As has been pointed out by the Economy Committee, this recommendation is likely to involve more expenditure than the economy which is sought by reducing the number of chaukidars. The point I wanted to submit was that if the chaukidari system is to remain it should not be reduced to such an extent that its utility might be absolutely set at naught. But if the chaukidari system is to be abolished, only to be replaced or substituted by an agency which would be good enough to serve the purpose, it is likely to involve much greater expenditure. Therefore, under the circumstances and in the interest of economy it would probably be better that the number of chaukidars should

not be reduced further but should remain as it is. The number has already been curtailed. It has just been pointed out to me by my friend Mr. Ashdown that in 1922-23 the figure was something like 87,000 odd and so you will see that between 1922 and the budget year of 1924-25 the figure has come down from 87,000 odd to 43,000. Any further reduction would really be against the interest of the public. The rural areas have got to be well policed and their interests have to be protected and looked after, and the watch and ward should be kept on the same level as in the cities ; but I know that bringing it on the same level as in the cities would involve very heavy expenditure which probably we cannot, having regard to our finances, possibly bear. But, Sir, on the other hand, it is no argument that since you cannot spend so much money as to bring the efficiency of the chaukidari system to a high level or to have a regular village police, the importance of which cannot be denied and will be recognized by the public the number of chaukidars should be decreased by applying further cuts. I am aware, Sir, that many people think that rural areas really do not require much looking after. The chaukidars are there, and only duty they have to perform is that simply of an informing agency. It would be better to do away entirely with them and only make mukhiyas responsible for informing the police and thus bring about a reduction of expenditure. I am unable to understand that idea. It would be highly to the detriment of the interest of rural areas. It is no argument that you should do away with the village police because you cannot spend a very large sum of money to increase the efficiency of the village police. It would be much better to have a curtailed staff of chaukidars which would serve the best interests of the rural areas while not involving very heavy expenditure, which having regard to the present financial situation in the province we cannot possibly bear.

I hope the Hon'ble the Home Member will be able to make a statement on this question and assure us as to what steps he proposes to take, so that while keeping an eye on economy the efficiency of the police administration in the rural areas is not in any way jeopardized or impaired.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I have listened with great interest to the speeches made in connection with the demand for a further reduction of the rural police force. We have already made a reduction of 44,000 persons out of a total rural police force of 87,000 which comes nearly to more than half the number. As regards further reductions I would ask the honourable member to proceed with caution, because the experiment which is to be made must be tried first to see whether it is a success or not. We have made it, though with reluctance, being afraid of the consequences of the reduction of the force, and we want time to watch the result of the reductions already made. If the experiment is a success, I shall be the first man to come to the Council with definite proposals for further reductions.

Maulvi Obaid-ur-Rahman Khan : In this connection I wish to draw the attention of the honourable members of this House to a particular point. Since the number of chaukidars has been reduced reports are not made at a proper time at the police stations. The villagers themselves are not at all keen to go to the police stations and make reports there because they fear that by going there they are put to a loss of Rs. 2 at the least and at the same time they do not expect proper investigation. The chaukidars used to make these reports ; but now one man is entrusted with four or

[Maulvi Obaid-ur-Rahman Khan.]

five villages; so he himself cannot become aware of *waridats* of each village at the proper time. If any more reduction is made, I fear no reports will be made at the thana. Therefore I do not think this reduction a wise step and consider it false economy until and unless a proper substitute is worked out. I hope the honourable mover of this reduction will not ask for any more reductions in this connection.

Khan Bahadur Maulvi Fasih-ud-din: I rise just to clear up a little misunderstanding which, I think, has been created in the mind of the Hon'ble the Home Member. My honourable friend to the left simply meant to say that if there was a further reduction in the number of village chaukidars, then some better and more satisfactory arrangement should be made in order to police the rural areas. I think he very clearly meant that the number of village chaukidars should not at all have been reduced. Personally speaking, I think it has been a very great mistake of policy to bring about a reduction in the number of village chaukidars. It is my life-long experience that it is the village chaukidars alone who keeps the sub-inspector in direct touch with what is going on in the village as regards matters criminal, and if we abolish one chaukidar in one single village it means that we actually abolish the system of receiving information through the chaukidar. The chaukidar who lives in another village and to whose circle this village has been allotted does not care to acquaint himself with what is going on in the other village because he receives such low pay as Rs. 2-18 and he does not consider it worth his while to go about the other villages and receive information and communicate it to the sub-inspector. It is for this reason, I think, that the reduction which has already been made has been on wrong lines and in my opinion this reduction cannot be justified on any ground at all except on the ground that the principle of the survival of the fittest has now been changed to the principle of the survival of the strongest.

Mr. Muhammad Aslam Saifi: I am very strongly in favour of retaining the chaukidars in the villages. I do not see any reason why the poor villagers should be left entirely without any protection. The question is whether these village chaukidars understand their duties and whether they carry them out efficiently. From the example that I have seen of these village chaukidars I cannot say that they are even one-millionth part efficient in their whole body and soul and everything put together. The main question is to increase their efficiency and not to reduce their number.

Thakur Hanuman Singh: Before I withdraw the motion I desire to say one word in reply to my honourable friend Mr. Aslam Saifi. He said that the village people should not be deprived of the protection they receive from these chaukidars. I say that the village people receive no protection from the chaukidars, who are always engaged in cultivation and other works to supplement the scanty livelihood which they receive from the Government. My own opinion is that there will be very great difficulty if some other system is not organized by the Government to carry information to the Police officers. As regards protection I am strongly of opinion that the chaukidars are of no use. With these words I beg to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

Nawabzada Muhammad Yusuf also, by leave of the Council, withdrew the motion standing in his name.

Thakur Hanuman Singh : I rise to move that the demand of Rs. 40,000 under "26-D—Rewards" be reduced by Rs. 5,000. I do not think this motion of mine requires any speech from me. The number of chaukidars has been reduced to a very great extent. So the amount of the rewards should also be reduced. Of course there has been some reduction in the amount provided in the preceding year, but a further reduction of Rs. 5,000 will not be much.

Mr. A. D. Ashdown : I beg to say that my honourable friend has probably proposed this reduction basing it on the revised estimate of 1923-24. In 1923-24 we asked for Rs. 70,000. But we had to make a lump reduction of Rs. 30,000 and in addition we had to reduce 8,000 chaukidars more proportionately from the whole budget. The consequence was that we reduced the grant of Rs. 70,000 sanctioned by the Council to Rs. 50,000. This year we asked for Rs. 60,000, but the Finance department has reduced it to Rs. 40,000. Now, it is a fact that these men do on many occasions great service for the public and the Government in their villages. They also receive a very small allowance when they have to guard the railway line when His Excellency the Viceroy travels in these provinces.

I can assure the House that Rs. 40,000 comes to less than one rupee a head. I may further inform the House that the Deputy Inspectors-General have been told, when making their inspections, to scrutinize the system of rewarding village chaukidars more closely. Personally I am convinced that if you encourage village chaukidars you will get more work out of them, both with reference to their fellow-villagers and with reference to Government. If the sub-inspector is always to take to himself the credit for what he has done on the information of village chaukidars, results are likely to be unsatisfactory. I would therefore ask my honourable friend not to press his motion for this reduction.

Thakur Hanuman Singh : I do not press the motion.

The motion was, by leave of the Council, withdrawn.

Pandit Nanak Chand : I move that the demand under "26-E—Railway Police—Miscellaneous allotments" be reduced by Rs. 3,000. If the honourable members will please turn to page 64, they will find under the head "Miscellaneous allotments" a sub-head "House rent and other allowances." The budget figure for the present year was Rs. 23,172 and the revised figure is Rs. 20,000. It is again proposed to provide Rs. 23,172 for the next year. On the basis of the revised figure I propose that the Inspector-General will be pleased to reduce this amount by Rs. 3,000.

Mr. A. D. Ashdown : I explained to this House yesterday that, so far as the Police department is concerned, "House rent and other allowances" include no house rent. The figures given in the budget are actuals. They stand for city allowances for 85 head constables at rates varying from Rs. 6 to Rs. 2 and for 716 constables at rates varying from Rs. 3 to Re. 1. It is true that we expected to spend only Rs. 20,000 in 1923-24, but this is due to the fact that vacancies have occasionally occurred and so the men did not get the allowances. Should vacancies occur during the current year, it will not be possible for the money to be spent on any other object.

[Mr. A. D. Ashdown.]

Therefore as the figure budgeted represents actuals, I would ask my honourable friend the member for Bulandshahr kindly to withdraw his motion.

Pandit Nanak Chand : In view of the explanation I do not want to press my motion.

The motion was, by leave of the Council, withdrawn.

Pandit Nanak Chand : I move that the demand under "26-E—Railway Police—Allowances" be reduced by Rs. 1,300. If the honourable members will please turn to page 64, under the head "Allowances" they will find that last year the budget estimate under this head was Rs. 42,000 and the revised figure also Rs. 42,000, and now provision has been made for Rs. 43,300.

Mr. A. D. Ashdown : I am authorized by Government to accept the motion.

The motion was put and adopted.

Pandit Nanak Chand : I move that the demand under "26-E—Railway Police—Contingencies" be reduced by Rs. 10,000.

If honourable members will turn to the Detailed Estimates at page 64, they will find that under this head the actuals for 1922-23 amounted to Rs. 71,276, and the budget estimate for 1923-24 was Rs. 1,26,966 and the revised estimate for the same year Rs. 1,10,000. For the next year however the Government ask for a sum of Rs. 1,24,496, and I propose that they do accept a reduction of Rs. 10,000 under this head.

Mr. A. D. Ashdown : I will first remove a misconception. The figures in the last column but one represent the revised estimates and not the actuals. They were framed four months before the close of the financial year.

As regards the motion before the House, I may say that the house rent which we have to pay for quarters belonging to the Railway Police, excepting the actual thanas, which alone are free, amounts to Rs. 94,261, and this sum will have to be paid from this head. Further, I may inform the honourable member that deductions to the extent of Rs. 14,831 have already been made from the budget of the Railway Police by the Finance department. Before asking my honourable friend to reduce the amount which he has moved for reduction, I should like to sound a personal note. I am sure that all honourable members of this House whether they sit on the front opposition benches, the cross benches or on this side of the House have but one aim and that is to secure trained, efficient and contented police force in these provinces, at the lowest price consistent with security, contentment, and efficiency. We may view that object from different angles of vision, but I feel sure that we are all one in the desire that the police force should be contented and efficient. This is the reason why I shall always welcome any criticism or inquiry at the hands of the honourable members of this House in full confidence that they will give me the consideration, fair play and patient hearing which they have accorded me during this budget debate.

I now move, Sir, that for the sum of "Rs. 10,000", the sum "Rs. 3,000" be substituted.

Pandit Nanak Chand : I have no hesitation in accepting the amendment.

The motion, as amended, was put and adopted.

Pandit Brijnandan Prasad Misra : I had a motion for a cut of six lakhs in this department, but under the standing orders I could not move it since discussion took place in the Council on the various items separately. I can, therefore, offer my opposition to the whole demand, since I wish to make certain observations in regard to the administration of the department, and I hope that those observations of mine would be taken into consideration by the Head of the department and the necessary reformation would be made. As is well known, the department is a very unpopular department and the reasons for it are not far to seek. The reasons for the unpopularity of the police are that they do not consult people whom they should consult in detecting crime and where they should be sympathetic in offering their help to the oppressed, they are doing just the reverse. The people, therefore, instead of considering the police as their saviours, fear them and look upon them as their enemies. I think it is a fact that the police in no part of the world is as unpopular as it is here in India, and the reasons for this unpopularity are just those which I have stated at the beginning of my speech. One thing I want the Hon'ble the Home Member to take special note of is that the lower services particularly in the department are still as much subject to bribery as they used to be in the past. A certain amount of reformation might perhaps have taken place, but still bribery is very common among the police and it ought to be checked with a very strong hand, because if it continues the proper administration of the department cannot go on. The Government might be thinking that its very existence depends on the military and the police, but if the police becomes a source of regular annoyance to the people it would weaken the stability of the Government itself. This is an evil which I hope the Hon'ble the Home Member will try his best to eradicate from the department.

Another thing which is not very important but still a matter of some importance is that the police is not very clean-handed in its dealings with the persons whom it puts on trial for the purpose of getting justice. It is not very scrupulous in collecting evidence by which prosecution ought to be secured. In that direction also the police requires check, and I am sure that the Government will see to it.

Another thing which I particularly want to be brought to the notice of the Government is that whilst on the one hand we have been seeing that the number of the police in all its branches has been increasing and multiplying, on the other, crime is also increasing correspondingly.

Serious crime also is unchecked. When such a big number of officers of the higher rank and of the subordinate police service are in existence, crime should have been reduced to a nullity, but it exists and exists in a very great quantity. One other matter of complaint is that the Government in the last year or year before last asked for a special sum in the supplementary estimate for special police for the purpose of the Bhanu expedition. Mr. Young, under whose charge the expedition was placed, has, however, lately been deputed to arrest peaceful non-co-operators at Bageshwar for the violation of an order under section 144. This is an act to which this Legislative Council should particularly take strong objection. I am of opinion—and I think my opinion would be endorsed by the whole House—

[Pandit Brijnandan Prasad Misra.]

that the utilization of any special forces for any ordinary purpose—purpose for which the ordinary police is quite capable—is an act which is extremely condemnable and cannot be justified on any ground. Then last of all I have to bring a fact to the notice of the Government. It is the oppression of the police; it is the rough and rude methods to which the police still resort to in the same way as they used to do in the past. In that respect I would bring to the notice of the Government a case of my own district. It is an occurrence which took place in a village of my district called Rampur Amrit in Bisalpur sub-division in the jurisdiction of Bilsanda police station. The sub-inspector went to that village for the purpose of making the arrest of a person. That person offered resistance and the result was that a quarrel took place between the sub-inspector and his companions and a few villagers on the side of the person. The sub-inspector was beaten. Then the sub-inspector went back. After three or four days another sub-inspector of the same police station (the person beaten was the second officer) who was in charge of the police station came to that very village with about 50 or 100 persons—I am not sure of the exact number, but I believe the number was very large as has been alleged—who belonged to a turbulent class. The sub-inspector along with these persons is said to have ransacked the village, beaten the people, and extorted money from them and it is also said that women were ravished in this quarrel. I am making these allegations which have come to my ears. I myself have been to the village, but I did not make any detailed inquiries myself because I thought that it might spoil the case, in case a substantial inquiry might be held subsequently. But for the purpose of ascertaining what the real facts were, I collected these allegations and I have brought those facts to the notice of the Government with the hope that Government would take very early steps for the purpose of finding out what the real truth in the matter is. No inquiry to my mind has up to this time been held. I was told that a circle inspector was deputed for the purpose of making an inquiry. Circle inspectors no doubt belong to the same fraternity and it cannot be expected that he would go against the sub-inspectors where the honour of one of two sub-inspectors, who are of the class to which the circle inspector also belongs, is involved. I therefore ask the Government to appoint a small committee—a committee composed of men in whom the people have confidence as also the department itself—to go into the matter thoroughly.

Mr. Mukandi Lal : The Hon'ble the Home Member, when presenting yesterday, to this House, the demand under "Police" of about a crore and a half, spoke with heart and with emotion, the emotion which I consider the best emotion that can ever arise in the human heart. It is an emotion of love, love of country, patriotism; and I hardly believe that there is any soul in this House who would not respond to that call of patriotism that he made to us, i.e., to support the demand for the maintenance of police. He made a confession too. That was a right confession—that the Government was in a minority; and I hope he will follow the constitutional law, according to which he should make room for the majority. He also observed that the police, everywhere in the world, was unpopular. I do not agree with the Hon'ble the Home Member in that. I know of one country, at least, from my personal knowledge, where the best institution that the State has been able to create is the police. I am referring to Great Britain, where the police is the most beloved department. A policeman,

there, is the friend, the guide, and protector of the people. I have my own personal experience that whenever I was bewildered in a street in London, I used to run to a "bobby" and he used to solve my difficulty. I have very pleasant recollections of the police in England. They are sometimes humorous. I remember once I was going to see the Mansion House and I asked the nearest constable on duty where it was. He tapped my shoulder and said:—"My sonny, here it is" (pointing upward to the building with his finger). I happened to be standing exactly in front of the Mansion House. What I want to remind you of, Sir, is the word "son." He called me his son. This shows in what esteem and love the police is held in England. It is just possible that in this country also, if the Police department is reformed, that department may become the most important and most serviceable department, not only to the State, but to the people as well, but that can happen only if the definition of a policeman is kept in view by the Government. The definition of police, according to Webster, is that it is for the regulation of the community "with respect to matters affecting the general comfort, health, morals, safety and prosperity of the public."

Now, let us see why this department is unpopular in this country particularly. I again refer to a sentence that I heard in Great Britain, as it gives the key-note of the unpopularity of this department. While I was waiting for a train at the Exeter station a well-dressed gentleman came and sat by my side. He asked me what part of India I came from. It at once occurred to me that he must have been to India. I asked him in what capacity he was in India. He told me that he belonged to that much badnamed department. He was a police superintendent in the Central Provinces. Then he discussed with me why the Police department was badnamed. Afterwards he told me that he was longing to go back to his "raj." Well, that is the sum total of the Police department—to rule (*raj*) and to serve. Unfortunately, the police in India at present think that they have been appointed to rule over the people, to catch thieves, to detect crimes, and so forth.

Now, let us examine how far the police has been able to discharge their primary duty in these provinces. I find that according to the Police Administration Report in the year 1922 there were 91,197 criminal cases, out of which only 66,266 were investigated, i.e., the department failed to investigate 24,931 cases. Out of these there was conviction only in 13,530 cases. It means that 11,401 cases were either false or the police failed to bring the offenders to justice.

Now, take the question of protection of property. Let us see how far the police was capable of protecting property in 1922. There were 25,622 cases of theft (stealing property), out of which only in 4,323 cases the property was recovered, that is to say, the police was unable to recover the stolen property in 21,299 cases. The value of stolen property amounted to Rs. 36,11,540, out of which the police was able to recover only Rs. 2,26,687 worth of property, that is to say, property worth Rs. 33,84,853 was still unrecovered.

Now, take the case of murders. In 1922, 974 murders were reported, out of which 495 were not detected and convictions were secured in only 226 cases. In 147 cases either the criminals were discharged or acquitted. The corollary of this figure is either 147 murder cases were false or that the Police failed to prosecute and investigate 147 cases diligently.

[Mr. Mukandi Lal.]

I have referred to 974 recorded cases of murder; but I now put before the Council an unreported case, in which about 200 murders have been committed by a single individual, and that is in my district of Garhwal. These murders have been committed by a leopard and the police and the Government have failed to get hold of the murderer, or to shoot that murderer, though the Deputy Commissioner of the district happens to be one of the best shots and one of the best shikaris and manages to shoot no less than four tigers during the five months in the year that he spends in the forests. Now, for catching Sultana and his gang we were asked to vote a certain amount, quite rightly; and I take this opportunity to convey our congratulations and admiration to Mr. Young and his gallant band of police force who brought to book Sultana and his gang. There, we admire his valour; but here is a murderer which is still at large; and I do hope that the Government will be strong enough to employ another police force to bring that murderer to justice.

Now, I come to the Criminal Investigation department which, unfortunately or fortunately, attracted the largest amount of attention of this House. Perhaps many of the honourable members bore them a grudge. I will not be very severe on the Criminal Investigation department, because from my early boyhood, i.e. 1905, I have been a subject of the solicitations of that department. I admire the department. You call it "C. I. D.," I call it "C. I. P." department, Certifying Indian Patriot department. There is not a single Indian patriot in this country who has not at one time or another been followed by the Criminal Investigation department.

Pandit Brijnandan Prasad Misra : Even the Hon'ble the Home Member might have been shadowed.

Mr. Mukandi Lal : It was urged, on behalf of Government, that the Criminal Investigation department is maintained and kept by them for the work of special crime—the revolutionary crimes. I ask, Sir, was Mr. Gokhale a revolutionary, is Pandit Madan Mohan Malaviya a revolutionary? Yet I know that Mr. Gokhale was shadowed—that Pandit Madan Mohan Malaviya and other moderate leaders are shadowed.

Then, Sir, I come back to the question whether this department is likely to remain as unpopular in future as it has always been. I submit, if it is reformed, if it is run on the right lines, it will not be unpopular, because it is in India that we had some of the most ancient institutions of secret police—I refer to the Maurya dynasty—in the time of Chandra Gupta there was not only the regular police but also the secret police in which even ascetics and women were employed. In the time of Ram Chandra also there was secret police. But what was this police employed for? It was employed to find out the grievances of the people—to find out what the people were saying about the Government. That was really the business of the secret police of those days—not to harass people for saying things which were unpleasant about the Government. I, therefore, submit it is in this country that this institution can be of service, but as it is at present the police does not command our confidence; the police is hated; the police is disliked. Therefore so long as this state of affairs continues we are bound to refuse supplies for the police. I come finally to the remark made by the Hon'ble the Home Member about the present dyarchical system. Sir, theoretically, he is one-third of the Government, but in

practice he is one-sixth of the Government under the dyarchy. So long as there are these fractions of half, one-third, and one-sixth, I do not think the present system can be tolerated nor does the Government deserve supplies from us, whether he appeals in the name of patriotism or practical politics.

Pandit Bhagwat Narayan Bhargava: This is a department which eats up a handsome amount of the hard-earned money of the poor people of this land. The Hon'ble the Home Member perhaps thinks that a substantial cut has been made in the demands of this department. I think, Sir, a comparatively small reduction has been made in this department and I think that it is due to the tact with which the Hon'ble the Home Member handled the situation yesterday. When the motion of Pandit Brijnandan Prasad Misra for the reduction of Rs. 1,50,000 was moved under Criminal Investigation department and was being discussed, the Hon'ble the Home Member offered a bait in the shape of a reduction of Rs. 20,000, and some of my friends sitting in the front were overjoyed to hear of that grand reduction and expressed their joy by thumping the table. I ask them in what manner are they going to express their joy when on the 27th instant the monsters of new taxation will face them? Then, Sir, it is admitted on all hands that this department is unpopular. It is also admitted on all hands that there are certain reasons for which this department is unpopular. I shall add one more reason to the reasons previously given by my friends and it is this. When police officers have been found by the courts to have launched false prosecutions, when they have been found by the courts to be guilty of illegalities and of culpable irregularities, they have not been punished and we have even instances of that. In my own district severe strictures have been passed by the sub-divisional magistrate of Jhansi on the sub-inspector of thana Nawabad and even then no action has been taken against him. There has been a recent incident in my district about which I gave notice of some questions, but unfortunately, Sir, they were disallowed by you. Therefore, I should like to refer to it in this debate. On the 22nd December, 1923, an insured cover containing certain currency notes was lost in the post office. Inquiries were instituted by the police, but having found no trace of the culprit, on the 16th January I am told somehow two clerks of the post office were taken to the quarters of the sub-inspector, Nawabad thana, at 6 p.m. They were kept waiting till 8 p.m. Then after that they were handed over to a constable or constables and taken into separate rooms. Then they were made to stand on their toes like crows their legs were stretched to the utmost length, and when they could not stand any longer in that posture they were dashed to the ground and again made to stand like that. Then they were asked to confess that they had been guilty of the theft, which they refused to do. These people were tortured and maltreated up to 11 o'clock in the night and the poor fellows got home by 12 o'clock. They could not attend office for nearly four days on account of the pain and also on account of fever resulting from it. They were examined, I think, by the Civil Surgeon of Jhansi. Then, Sir, a telegram was sent to the Postmaster-General and also to the Secretary of the Provincial Association of the Posts and Telegraphs which has its headquarters at Lucknow. The secretary of the association went to Jhansi and recorded statements. I am speaking on this on the basis of statements of which I have got a copy with me. About two months have passed and it appears that the matter has been hushed up because some police officers

[Pandit Bhagwat Narayan Bhargava.]

were involved. I am also told that the two Inspectors of Post Office and sub-inspectors of police were also present that night in the quarters when these two clerks were being beaten and ill-treated. The District Magistrate was perhaps on tour in those days, and I do not know what can be the reason why the culprits have not been brought to justice, why no case has been started against them. Then, Sir, I want to refer to the manner in which section 110, Criminal Procedure Code, is being applied at least in my district and I think that is the case everywhere. I know of cases where respectable zamindars have been hauled up under this section who have never had a charge under any section against them and were never suspected of any crime. I may be excused for a personal reference—there is a member of the district board in Jhansi—a respectable zamindar and a muafidar, and because he supported my candidature for chairmanship of the district board and my candidature for this Council, and because he always supports me in the meetings of the board, he has been recently threatened to be run in under section 110. The poor fellow has been so much afraid of the threat and of the fact that his zamindari might be confiscated that he now seldom attends meetings of the district board and even does not see me. I have known of cases in my district under section 110 where the magistrates have admitted to me, nay, even declared in open court, that they are compelled to convict men under this section even though they may be satisfied that there is no truth in the case. Then, Sir, I also wish to refer to the fact that, though the *begar* system has been abolished in theory, surely it is still going on, at least among the subordinate branch of the Police department in my district, and I understand it is the case everywhere. They can still get in the bazar *ghee* at the rate of one rupee per seer and wood and grass free. I know from my personal experience that when carts laden with grain or wood or grass come from villages, the constables at the *chaukis* get their *dasturi* and *haq*. Sir, these are the things which make this department most unpopular. With these few observations I resume my seat.

Pandit Har Govind Pant : I do not stand in this honourable House to enunciate the principles of my party or to explain the ideals for which we stand. As a matter of fact, I think that the only consistent part which a humble member of the party like myself can play is that of a dummy. I had so far resolved to play the part of a dummy and leave my good cards to be played by others and to make my contributions by way of silent votes. As my honourable friend from Pilibhit has happened to make mention of the Bageshwar fair, I am inclined to make a present of the things as they happened, to the Inspector-General of Police, so that he might know the exploits of the police force that went up to Bageshwar this year, and understand why this department is becoming unpopular with the public. I have been attending this Bageshwar fair since 1920. A determined attempt was made by the people of Kumaun to do away with the system of forced labour called by the name of coolie *utar*. Since that year the local officers are determined to crush the people and to show their displeasure, at any cost, to the people. Year after year the number of police has been increasing, and we find that this year about 100 police (many of them armed), with the superintendent of police, Mr. Young, at their head, who had been deputed for the rounding up of the *Bhanus*, were sent to that place. And what did they do there? There they had not to deal with a gang of dacoits or with robbers or with

dangerous people, but only with peaceful non-co-operators, like my esteemed friend Mr. Mohan Joshi. Mr. Mohan Joshi belongs to a family of high social standing in Almora. He is a graduate of the Allahabad University. He is a member of the All-India Congress Committee and he has been certified times out of number by the local officers as one of the most peaceful non-co-operators. He is an Indian Christian: it may be news to many members of this House. As a matter of fact, the people or the workers of the Congress Party this year had decided not to have anything to do by way of speeches, as they believed more on work than on speeches. But the Police were determined to drag them on and this action forced us into this unpleasant way of making speeches at the fair. Six men were apportioned to each of the workers there. Wherever they went, they were followed by at least six persons. Even then the workers kept quiet. A little incident occurred. A man who had come to sell wares at the fair was asked by one of the revenue Police to pay up the fair tax. Of course, I am not concerned with the legality of the fair tax at this time. He was asked to pay it. He said that he had not sold any of his wares yet and that the revenue officer had better wait till he had sold them. The man forcibly took away one of his wares, which was worth Rs. 9, and sold it for Rs. 3 to realize the tax. The poor man as he could not get help anywhere else, went straight to Mr. Mohan Joshi and repeated his story to him. The young man could not hold himself. He took up the congress flag and went to the riverside and, there standing on a boulder delivered a speech dealing with the subject of constructive programme of non-co-operation. He went on with his speech peacefully for about two hours, when lo! a bugle was sounded, the stalwarts of the brave police that had been sent for the occasion, surrounded the young man and they brought a rope some twenty yards long and put it round that man and the people standing there were forced to scatter right and left in order to separate them from Mr. Joshi. Of course that was the experience Mr. Young had gained from the Bhanus and he wanted to use it against the non-co-operators. Had it not been for Mr. Joshi at that time it would have been very difficult to keep peace. The people looked upon Mr. Joshi as one of their leaders and a peaceful non-co-operator, and it was Mr. Joshi who explained to the people that the only method they had to follow was peaceful non-co-operation and they should stick to it and no other methods. Some twenty policemen with fixed bayonets surrounded Mr. Joshi and marched him off to the dāk bungalow as if he were a very dangerous character and could not be taken or arrested in any other peaceful manner. The next morning all the people were stopped from leaving the fair; the police were stationed at the bridge-heads and road-ends with strict orders not to allow anyone to go out from the fair; so that news may not reach Almora or Ranikhet or any other town; so that people may not come to have a *darshan* of the peaceful non-co-operator. That was the method used by the Police. In the face of such facts it is nothing surprising that the people have gained such an opinion of the Police, to which expression has been given by various honourable speakers in this House. This is only a concrete instance which I am presenting before this House and from this we can infer in what spirit the police have been working among us and the reason why it is so unpopular. As I said in the very beginning, I have not come here to enunciate any principle or to explain the ideals of my party. I am only an ordinary soldier belonging to this party and my only part will be to record a silent vote on the budget in this honourable House.

Thakur Jagannath Bakhsh Singh : The Police department is a department with which almost everybody has to deal and if we begin narrating our experiences of the Police I think not only one day or the remainder of this day but the whole session would not be sufficient. Therefore, I hope I will not offend honourable members when I say that we have got three demands still to discuss and if these demands are put at 5 o'clock, in accordance with your ruling, we will have no chance of speaking of the other demands, namely Medical, Public Health, and Industries.

With this view, if I am permitted to do so, I would move the closure.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Though I have been asked to bear so many cases in mind and to satisfy this House with regard to certain specific cases, yet I should like to be brief in making a reply to all the honourable members who have spoken on the Police budget. I am thankful to all the members for the moderation and particularly great consideration they have shown to me. I am particularly thankful to my friend the member for Pilibhit for the moderate speech he made. When he got up I was expecting something more from him, but to my satisfaction—rather great satisfaction—I find that it has been most conciliatory.

Mention has been made of the Criminal Investigation department which shadowed certain politicians of the past as well as of the present. It is really interesting to me and I hope it will be interesting to this House to know that the advocate of the cause of Criminal Investigation department standing before them was once shadowed by them himself. But that time has gone and now the same man is at the Head of that department. In the same way it may be a very good omen for those who are being shadowed at present. I hope that one of them may in the near future become the Head of that department. As regards the Bageshwar fair, I have already answered certain questions in this connection, and the case is finished. If anything in future will happen Government will take care of any action that may be taken in that matter.

As regards certain incidents in Pilibhit I assure the honourable member from Pilibhit that inquiries will be made and in the near future I will be able to let the honourable member know what action can possibly be taken.

Pandit Brijnandan Prasad Misra : Does the honourable member mean that inquiries will be made by the district officer or through the intermediary of a particular committee?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : An inquiry to the satisfaction of the honourable member.

Pandit Govind Ballabh Pant : May I put a question in connection with Bageshwar? Will the Government be pleased to send for the records of the case and ask their legal adviser to go through them?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I will myself examine the case.

Mr. Mukandi Lal : Is Government going to do anything to arrest the murderer in Garhwal—the leopard?

The Hon'ble Mr. S. P. O'Donnell : I have a series of question on that point. I think those questions will come up on the 30th when I

shall be able to give the honourable member full information. Meanwhile I will only say that we welcome his co-operation and assistance in this matter.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: With regard to the criticism made as to the failure of the department in not doing work tactfully while dealing with certain cases, I shall bear all these points in mind and shall try my best to remove the complaint. The department cannot be reformed in a day or two but must require years to do it. Perhaps my successor in the department may not be able to bring it to completion as desired.

Babu Bhagwat Narayan Bhargava: Will any Special Officer be sent to inquire into the Jhansi case?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I have already replied that all cases brought before this House will be looked into.

The Hon'ble the President: The original demand is for Rs. 1,53,06,161, since when motions have been adopted by the Council making a reduction of Rs. 87,000, leaving a net demand of Rs. 1,52,18,361 under head 26—Police. The question is that this demand be granted.

The motion was adopted.

Demand No. 10.

HEAD 32.—MEDICAL.

The Hon'ble Rai Rajeshwar Bali: I beg to report to the Council the recommendation of His Excellency the Governor that a sum of Rs. 19,24,800 be granted under the head 32—Medical; and to this must be added Rs. 6,63,200 as non-votable provision. I move that this sum be granted.

The Hon'ble the President: The first motion is in the name of Mr. Masud-uz-zaman.

Rai Bahadur Lala Sita Ram: May I ask, Sir, whether I can move my motion now as it covers civil surgeons. I understand from Mr. Masud-uz-zaman that his motion relates to the assistant to the Inspector-General.

The Hon'ble the President: What is the number of the honourable member's motion? No. 3?

Rai Bahadur Lala Sita Ram: Yes, Sir. It is under civil surgeons—district medical officers. Later on miscellaneous allotments and other things come; and the salaries go up to Rs. 6,47,000 and the motion is for a reduction from that.

The Hon'ble the President: If it deals with a single item—civil surgeons—it can be moved.

Rai Bahadur Lala Sita Ram: It deal with salaries.

The Hon'ble the President: It deals with salaries as a whole—the total demand of salaries.

Rai Bahadur Lala Sita Ram : It deals with allowances also of civil surgeons.

The Hon'ble the President : If the honourable member wishes to move it in connection with any of these items it is open to him to do so.

The first motion on the paper is in the name of Mr. Masud-uz-Zaman.

Mr. Masud-uz-Zaman : I move that the demand under 32A—Medical for salaries of military and provincial officers and apothecary, be reduced by Rs. 10,000. If the honourable members will turn to page 80 of the detailed estimates they will find an item for military and provincial medical officers and apothecary and I want to reduce this item by Rs. 10,000. My object in moving this motion is to reduce really the salaries of the two personal assistants to the Inspector-General: one at Lucknow and the other at Allahabad. My reasons for supporting this suggestion are very simple. In the face of so many institutions that are in existence at Lucknow and Allahabad, these posts of personal assistants are superfluous because the work of these assistants is mostly post-mortem work which can be easily performed by a provincial medical service man. As we all know, the provincial medical men are better qualified than these personal assistants who belong to what is generally known as Indian Medical department. These people are not even entitled to practise outside India. So it is clear that when men of better qualifications could be found, these posts become absolutely superfluous. Besides, there are about seven or eight institutions in Lucknow and about four or five in Allahabad. In Lucknow we have the Civil Dispensary at Hazratganj, the mission male and female hospitals with European doctors, including lady doctors, the Medical College hospitals, the Balrampur hospital, and the Lady Dufferin hospital. In addition to these, there are so many private practitioners. The work of the personal assistants I have mentioned is mostly that of post-mortem examination and I think that work could very easily be transferred, both here and Allahabad, to provincial medical men. For these reasons I submit that these two posts are superfluous and may be dispensed with.

The Hon'ble the President : There is a "ditto ditto" on this page. I think there has been a mistake. I asked the Financial Secretary. The salaries of civil surgeons or some part of it is included in the Rs. 6,47,524. In that case Rai Bahadur Lala Sita Ram can move his motion or speak on this motion.

Rai Bahadur Lala Sita Ram : I think the mover has referred to two particular posts. But I wanted to refer to reservation of stations for Indian Medical Service officers under my motion.

The Hon'ble the President : I find it difficult to put two separate motions for the same amounts before the Council. If the Council decides not to reduce on this motion it is difficult to allow the Council an opportunity of making the same reduction by another motion. The two are lumped together in one demand. That is the difficulty.

Rai Bahadur Lala Sita Ram : I see the difficulty, Sir.

The Hon'ble the President : If the honourable member for Meerut-cum-Aligarh would move for a smaller amount than Rs. 10,000 I can permit it.

Rai Bahadur Lala Sita Ram : As I said the other day, a zero has no value and I can therefore omit a zero.

The Hon'ble the President : I will permit a smaller sum being moved.

Rai Bahadur Lala Sita Ram : There is just a little difficulty. My friend Mr. Masud-uz-Zaman's motion relates to the abolition of two particular posts. My motion relates to a matter which is entirely different.

The Hon'ble the President : I shall treat it as altogether a different motion if the honourable member will move a smaller sum.

Rai Bahadur Lala Sita Ram : I will change the figure by omitting a zero. I have the authority of Dr. Ganesh Prasad for that.

The Hon'ble Rai Rajeshwar Bali : The honourable mover has raised the question of the abolition of the posts of assistant to civil surgeons of Lucknow and Allahabad. As for the assistant to civil surgeon of Lucknow, that post has already been abolished more than a month ago.

As regards the assistant to civil surgeon at Allahabad, we find that there are certain difficulties. In the first place there is the medico-legal work which is done by him. In the second place all the Government servants who live in Allahabad are entitled to free attendance for themselves and their families and they cannot call in the civil surgeon in all cases. It was for this reason that the Economy Committee did not recommend the abolition of the post. They said—"It is impossible to reduce the posts in Naini Tal and Allahabad; for all Government servants are entitled to attendance by the Government medical officers, both for themselves and their families; it is out of the question to require them to call in the civil surgeon in all cases; in these places where there is a large body of clerks the post of assistant is certainly needed." For these reasons I am unable to accept the second part of his motion.

The motion was, by leave of the Council, withdrawn.

Rai Bahadur Lala Sita Ram : I move that the demand under "32A—Medical—Salaries" be reduced by Rs. 1,000. I thought that so great would be the assiduity of my honourable friends for collecting materials for the forthcoming volume of the encyclopaedia of Police and Police zulum that I would hardly have time for bringing up this subject. I understand unofficially the Inspector-General of Civil Hospitals would have been relieved if the matter had not come up because by the lunch time I would have gone. However, I am thankful to the House for giving me an opportunity of ventilating the matter. I would be very brief in what I have to say in this connection.

It was in February, 1921, in the late Council that a resolution was brought up in which a request was made to the Local Government to recommend to the Governor in Council that a Civil Medical Service should be created in the United Provinces of Agra and Oudh containing superior civil medical appointments which should be recruited from the independent medical profession and civil assistant surgeons. In pursuance of some assurance which was given by the then Minister of the Medical department the resolution was withdrawn, and Government did appoint a committee consisting of Lieut.-Colonel Turner, Major Ranjit Singh, Pandit Hirday Nath Kunzru, Lieut. Shaikh Shahid Husain, and Mr. Muir. Unfortunately Lieut. Shaikh Shahid Husain was not able

[Rai Bahadur Lala Sita Ram.]

to attend the meetings of the Committee, but the other members held their meeting in the cool climate of Naini Tal and arrived at certain decisions which they have incorporated in the report of the Committee, to advise Government on all questions affecting medical officers serving in the United Provinces. That Committee went into a number of questions with which on the present occasion I am not concerned. The only thing with which I am concerned at present is the reservation of certain stations for officers of the Indian Medical Service. Before dealing with that subject I may say that the Committee was asked to report about the strength of the Indian Medical Service officers in these provinces and as to the reservation of certain posts for the officers of the Indian Medical Service. As a result of the deliberations of that Committee some despatch must have been sent to the Government of India. I hope the Hon'ble Minister in the Medical department will be pleased to throw light on the decision of the Government of India on those recommendations, i.e., the strength of the Indian Medical Service according to the report of that Committee and the decision about the reservation of certain posts. But what I find is that over and above the reservation of certain posts for officers of the Indian Medical Service, for example, the civil surgeoncies and other posts which have been specifically reserved for the officers of the Indian Medical Service, a number of districts and large stations have also been reserved for officers of the Indian Medical Service. This information I elicited from the Government in October last, when I put the following question:—"At what stations, if any, must there be Indian Medical Service officers under the orders of the Secretary of State? When were these orders received." The reply of the Government was to the following effect:—"The stations reserved for Indian Medical Service civil surgeons under the orders of the Secretary of State are Naini Tal, Mussoorie, Lucknow, Allahabad, Agra, Cawnpore, Benares, Saharanpur, Gorakhpur, Bareilly, Aligarh, Dehra Dun, and Moradabad. The orders were received on the 10th of July, 1923."

The matter was however pursued further, and I was told that the reply will be given later. We are not aware as to where it rests now. The Hon'ble the Minister of Local Self-Government and Public Health will be able to enlighten us on the point. One member of the Committee to which I have already referred, namely Lieutenant-Colonel Turner, I learn from the report, wanted that civil surgeoncies for twelve stations should be reserved for members of the Indian Medical Service. Be it said to the credit of Mr. Muir, that he agreed that only five stations be reserved for members of the Indian Medical Service, namely Lucknow, Allahabad, Naini Tal, Mussoorie, and Cawnpore. The Secretary of State for India, however, has put a bar sinister, so to say, against the appointment of members other than members of the Indian Medical Service in stations mentioned in the reply of the Government quoted above. I appreciate the anxiety of our European fellow-subjects to secure medical facilities for themselves and their relatives, and I further appreciate the anxiety of the members of the Indian Medical Service, who are mostly Europeans, to monopolize the private practice and to appropriate the various allowances to themselves in a big station; but I cannot understand why the Government should be a party to it. If there is a demand by the European community to have European doctors, it should not be supplied by the State at the cost of the tax-payer, but it should be provided by themselves.

Let Europeans set up their private practice in big stations like those of Naini Tal, Allahabad, Mussoorie, Cawnpore, and Lucknow, and then compete with other private practitioners in the open market. It should not be the business of the State to provide, by rule, special stations and billets for officers of a certain service. Be the practice what it may. The fact of the matter is that the Secretary of State should not lay down that such and such stations will not be given to anybody except the officers of the Indian Medical Service. The spirit underlying these orders is revolting in the extreme, not only to our self-respect, but also to the self-respect of the other officers of the Medical department particularly hampering to the administration of this a transferred subject.

The Hon'ble Rai Rajeshwar Bali : Two points have been raised in this debate by the honourable mover. The one relates as to what were the orders of the Secretary of State on the despatch regarding the Medical Re-organization Committee, and the other is about the reservation of 12 or 13 districts for the Indian Medical Service officers. In regard to the first I may communicate it to him that the posts have been reduced in accordance with the recommendations made by that Committee.

Rai Bahadur Lala Sita Ram : Will the Hon'ble Minister be more explicit than that ?

The Hon'ble Rai Rajeshwar Bali : The committee recommended that only 33 Indian Medical Service officers should be retained in the cadre plus seven as leave reserve. As far as I remember, they agreed to the retention of 33 and made an addition of two in the leave reserve, so that 42 officers have been fixed for the Indian Medical Service cadre of these provinces.

Rai Bahadur Lala Sita Ram : Including the hospitals and prisons ?

The Hon'ble Rai Rajeshwar Bali : Yes ; but a provision has been added by which the posts outside the civil surgeoncies, which were held by Indian Medical Service officers at the time but were not included in the list of 33, would also continue to be held by Indian Medical Service officers. Now as regards the second point which has been raised by the honourable member, regarding the reservation of districts for the Indian Medical Service officers, there were certain points on which we have been in correspondence with the Government of India. I am, therefore, unable to give any information on this point. All I can say is that I shall forward a copy of this debate to Government of India and shall await their orders. This is not in our power. This has been done by the Secretary of State.

Khan Bahadur Maulvi Fasih-ud-din : I do not wish to go into the question of the advisability or inadvisability of reserving certain stations for the members of the Indian Medical Service although it is my definite opinion that this reservation is not very fair and it is unjust to the members of the Provincial Service. But I want to bring out another grievance in connection with this particular point and it is this, that in spite of the fact that some of these stations have been reserved for the members of the Indian Medical Service, it is often the practice that when a member of the Indian Medical Service returns from duty or deputation he is allowed to nominate a station which is not included in the list of these reserved stations for his posting and he very often replaces a member of the provincial service. That constitutes a great grievance of the members of the Provincial Service, namely,

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the civil surgeons belonging to the Provincial Service, and the transfer of the civil surgeon is not the ordinary transfer like that of a member of other service. It constitutes a great loss of practice and is a question of life and death to a medical man. So I would bring to the notice of the Government that the civil surgeons belonging to the Provincial Service who are posted in the districts which are not ordinarily reserved for the members of the Indian Medical Service, should not be moved at the request of a member of the Indian Medical Service. The member of the Indian Medical Service who returns from any other duty or leave should take his chance of getting the station which happens to be vacant just as members of other services do. I would also point out that in order to safeguard the interests of the members of the Provincial Service one Under Secretary belonging to the Provincial Medical Service should be appointed in the Secretariat.

Mr. H. C. Desanges : My motion No. 2 has not yet been moved. May I move it ?

The Hon'ble the President : The honourable member's motion will be taken up immediately after this.

Mr. Muhammad Aslam Saifi : The pertinent question before the House is that under the orders of the Secretary of State thirteen posts in the Indian Medical Service have been reserved for the Indian Medical Service officers alone. I have listened to the reply that has been given by the Hon'ble Minister for Local Self-Government. I think the point is whether this being the transferred department is it not necessary in the interests of self-respect of his own department that he should communicate this emphatic view of the House to the Secretary of State through the Government of India ?

The Hon'ble Rai Rajeshwar Bali : That, as I have already said, I have done.

Mr. Muhammad Aslam Saifi : Well, the only wish of the House, I think, is that the Indian Medical Service has no right to reserve more posts than have already been reserved for it. The point has also been touched by my honourable friend Rai Bahadur Lala Sita Ram that some of these important stations which are now to be exclusively reserved for the Indian Medical Service may, if it is necessary for the European population in those towns, be served by private European medical practitioners and in such case there could possibly be no grievance on the part of the European population of those important towns in these provinces.

Mr. H. C. Desanges : I wish to speak on quite another phase of this question.

The Hon'ble the President : Will the honourable member move the motion standing in his name ?

Mr. H. C. Desanges : I move that the demand under 32A—"Military and Provincial Medical Officers and apothecaries" be reduced by Re. 1." In doing so I want to bring before this House certain grievances under which Civil Surgeons recruited from the Indian Medical department are suffering. I believe the House is not aware of the rules under which recruitment takes place and under which their pay, allowances and pensions are regulated. However I put the facts before this House and hope that

honourable members in justice and fair play will give me a hearing. It is glaringly patent that Civil Surgeons recruited from the Indian Medical department, to begin with on the point of pay, are handicapped from the very start. The Civil Surgeons are recruited both from the Indian Medical department and the Provincial Medical Service. The men appointed from the Provincial Medical Service get a starting salary of Rs. 600. The men appointed from the Indian Medical department start on the salary which they would be getting in the Military department, certainly much less than Rs. 600 and probably in the neighbourhood of about Rs. 300.

When this scale was started, it was started for the Provincial Medical Service from the 1st of April, 1920, while that for Civil Surgeons from the Indian Medical department from the 1st January, 1923. It is glaringly patent that while in eight years a man appointed from the Provincial Medical Service works up from Rs. 600 to Rs. 1,000, a man—not one man but several men in the grade of Civil Surgeon from the Indian Medical department starting with 18 years' service, 13 years' service, and 11 years' service, gets only Rs. 575. Thus, a man in the Provincial Medical Service after working for eight years gets Rs. 1,000, whilst a man who has been for 13 years working as Civil Surgeon draws only Rs. 575. In the matter of pension also, whilst a Civil Surgeon from the Provincial Medical Service gets Rs. 500, a man from the Indian Medical department gets only Rs. 360. Another glaring instance I may bring to your notice is this. I do not want to take names, but there is a doctor who was Civil Surgeon in 1914 and a man worked under him as Assistant Surgeon in 1914 and that man today is getting Rs. 900, and the man who was Civil Surgeon in 1914 is still getting Rs. 525. There is another glaring instance—just only an example of several cases—in the considered written statement put before the Lee Commission by this department. They gave the date of confirmation of a Civil Surgeon from the Provincial Medical Service as the 3rd May, 1919, and that of a man from the Indian Medical department who was appointed in 1916. The pay of the former was Rs. 1,000, while that of the latter was only Rs. 525. The benefit from increased pay since the 1st April, 1920, amounts to Rs. 12,400 in the case of Provincial Medical Service men, while in the case of Indian Medical department it comes to Rs. 100 only. The future loss from failure to recognize past services to the Provincial Medical Service men was low, while lost to Indian Medical department Civil Surgeons was Rs. 37,800.

I put this before this House that once the Government have made up their minds, and have selected a man and admitted him to the grade of Civil Surgeon—whether he belongs to the Provincial Medical Service or the Indian Medical department—he should be treated alike. The duties and work of Civil Surgeons whether from the Provincial Medical Service or from the Indian Medical department, are the same. It is not a credit either to the logic or to the reasoning of any Government or of any functionary so acting, when once they have selected a man for a particular post, to give him different treatment. I do not think this phase has been brought before this House.

People say that men promoted from the Indian Medical department do not have the same qualifications. The very fact that you have selected them and they have been working for 13 or 14 years is argument enough that they can carry on their duties and ought to get the same pay.

Another point I may bring forward is this, that several of these 13 or 14 officers from the Indian Medical department are men with English

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qualifications and therefore no argument against these men can be brought forward. Why should these men with English or Dublin qualifications not be treated on the same footing in every respect as the men from the Provincial Medical Service?

At this stage the Council adjourned for lunch.

After lunch, the Deputy President took the Chair.

Rai Bahadur Thakur Mashal Singh : Rai Bahadur Lala Sita Ram has moved a reduction of Rs. 1,000 under 32-A—Medical—Salaries. I join with him in the protest which he has made against the reservation of certain districts for Indian Medical Service officers. This is a transferred department and if even in this department the discretion of the Hon'ble Minister is fettered by the Secretary of State, it does not look well. We find that the recruitment of the Indian Medical Service men is in the hands of the Secretary of State; their emoluments are fixed by the Secretary of State. Now, if the postings are also not in the hands of the Hon'ble Minister, it is only in name that the department is said to be a transferred one. In my opinion this is a very reasonable protest and I think there will be no two opinions on the point in this House. We all wish that the postings of these officers should rest with the Hon'ble Minister in charge of Medical and Public Health departments. I would request the Hon'ble Minister for Public Health and Education to throw some light on the point, so far as he can within the limits without infringing any Government orders as to the secrecy which ought to be maintained in regard to correspondence which has passed between this Government and the Government of India, and I hope this reasonable request will be met by the Hon'ble the Minister.

Nawabzada Muhammad Yusuf : I rise to associate myself with the remarks made by the honourable mover on this motion. There is no denying the fact that this is too much interference with the activities of the Ministers and the discretion of the Ministers, and I would say, Sir, there is a question of principle involved in it. It is in a way a denial of the reforms. If the Ministers are our representatives, and if they are not to have free discretion in a matter like this, I would say then that we have had no reforms at all. We are aware, Sir, as has been already said by Rai Bahadur Lala Sita Ram, that 13 posts have been reserved by the Secretary of State. I need not repeat that we have no voice in the matter of their recruitment, we have no voice in the matter of their emoluments, and now the Secretary of State goes further and wants to interfere with the discretion of the Minister as regards appointment in different districts. That is going too far: I hope the Hon'ble Minister will not regard it as a sort of vote of censure on himself—it will really be passed not as a vote of censure on himself but with the object of strengthening his hands and to show that we resent interference with his powers, and discretion, I hope the sense of the House on the question will be conveyed to higher authorities. With these words I beg to move an amendment that for the sum of Rs. 1,000 Re. 1 be substituted. This is moved, as our main object is to make this reduction as a token reduction and with a view to convey our feelings and our opinion on this question to higher authorities. Therefore, Sir, it is highly desirable that this figure should be only Re. 1 and not 1,000 because that might unnecessarily interfere with the working of the

department. With these words I support the motion of Rai Bahadur Lala Sita Ram with the amendment I have made, that the amount be reduced by Re. 1.

The Deputy President : The honourable member's amendment is to reduce the motion to Re. 1 not by Re. 1 ?

Nawabzada Muhammad Yusuf. Yes, Sir,—that the amount be reduced to Re. 1.

Pandit Nanak Chand : The motion that is before the House for discussion is by way of protest against the unjust action of the Secretary of State in reserving certain stations to the members of the Indian Medical Service. It is generally understood that transferred departments are managed according to the wishes of the Legislative Council by the Ministers, but it is very regrettable indeed that in many matters the Ministers are not allowed a free hand to discharge their responsibility to the Legislature. In this department, Sir, as in many other transferred departments, there are a number of posts of the Imperial Services reserved for the members of the Indian Medical Service. Over these Imperial Services generally, as in this particular case, the pay, prospects, and emoluments, and the rules for leave, etc., are not determined by this honourable House and the Hon'ble Minister has got no hand whatsoever in either reducing or making any alterations in those emoluments or rules. Thus we are saddled in these transferred departments with a certain number of Imperial posts. Whether we can afford to employ that number or not is out of the question, but a certain number of posts have been reserved for the members of the Imperial Service irrespective of their necessity in the opinion of this House. That should not be the spirit of the arrangements as regards transferred departments. But the evil does not stop there. The honourable mover while moving this motion, made it clear that some of the best stations, which he described as prize stations to which are attached a number of handsome allowances, are reserved by the Secretary of State for the Indian Medical Service Officers. I beg to associate myself whole-heartedly with the honourable mover and the previous speakers who have supported this motion, and I feel sure that the Hon'ble Minister will strengthen this protest by his own personal observations when he forwards the discussion in this Council on this question to higher authorities.

Raja Durga Narayan Singh : I heartily associate myself with the amendment of my friend Nawabzada Muhammad Yusuf. I do not wish to take the time of the Council in making a long speech on this subject, but I do protest against the Secretary of State's action in taking away this discretionary power from the Ministers without which they cannot maintain equality amongst the members of the Medical Service. I will further say that the Government should be good enough to restore the power to the Hon'ble Ministers and have the orders of the Secretary of State withdrawn. I also beg to say a word more in this connection that the reforms as they stand will, I think, not be appreciated by the Public or this Council as long as the invidious distinction will continue to exist. If Government wants these reforms to be popular, then I think that the Secretary of State in the interests of the province and of the Government should withdraw his orders.

Dr. Ganesh Prasad : I had absolutely no intention of taking part in this particular debate. But it is my duty to give expression to the conclusion

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that I have arrived at after a fairly careful consideration. Now, my honourable friends probably forget that there are certain anomalies in the Devolution Rules which have been accepted by the Reformed Councils. I just quote from two rules. In rule 10 we find—

“(a) no order affecting emoluments or pensions, no order of formal censure, and no order on a memorial shall be passed to the disadvantage on an officer of an all-India or provincial service without the personal concurrence of the Governor;” and

“(b) no order for the posting of an officer of an all-India service shall be made without the personal concurrence of the Governor.”

Another is rule 12 and it runs :—“ A Local Government shall employ such number of Indian Medical Service officers in such appointments and on such terms and conditions as may be prescribed by the Secretary of State in Council.”

My object in inviting the attention of the House to these rules is simply this, that we have got certain provisions put there in black and white and when we accepted the reformed constitution we did accept the anomalies. . .

Pandit Nanak Chand : Did this Council accept the rules ?

Dr. Ganesh Prasad : . . . I may be permitted to go on because I am a little bit incapable of putting up with interruptions. I may say to the honourable member for Bulandshahr that I am speaking more or less on the same side as he would probably like me to speak. I am putting forward certain facts. You have got the Devolution Rules. The reformed constitution was discussed many times in the previous Council by a number of gentlemen who were more friendly with the honourable member for Bulandshahr than with me ; and no steps were taken to change the rules. So far as safeguards against the Minister are concerned, there are safeguards of different character in the rules. First of all, the concurrence of His Excellency the Governor is absolutely essential before any vote of censure is passed on any gazetted officer or any kind of important change can be effected in the matter of his status or emoluments. Then there is an additional safeguard in matters relating to Indian Medical Service officers, which will be settled chiefly by the Secretary of State. I am entirely in sympathy with what has fallen from the lips of my friend Nawabzada Sahib and the Raja Sahib of Tirwa. My point is this : If you want to have a change, that change cannot be made merely by making speeches from year to year. . .

Lieut. Raja Durga Narayan Singh of Tirwa : Will the honourable member please suggest some practical measures ?

Dr. Ganesh Prasad : . . . I am going to suggest them. We should put our shoulders to this very difficult task of amending these Devolution Rules, and as an earnest of my own desire for the amendment of these rules I may inform this House that I have sent notice of my intention to move a certain resolution, if the Hon'ble President will allow me to do so, on the 2nd, 3rd or 4th of April. The rules can be changed only with the concurrence of the Secretary of State and the two Houses of Parliament. I am a little bit more hard-headed than many

of my friends here and I would not like to put the Hon'ble Minister for Local Self-Government in a tight corner by asking him to do something which is not in his power to do. With these observations I place myself on the same side as my friend the honourable member for Bulandshahr.

Pandit Nanak Chand : Will the honourable member suggest how he would approach the Secretary of State otherwise than by making speeches in this Council.

Lieut. Raja Durga Narayan Singh : I had no mind to speak on this motion, but I do so as I think the Hon'ble Doctor Ganesh Prasad has not understood the intention of the House. The House is not obstinate, but it wishes to protest against the rule which has been issued and which has deprived the Hon'ble Ministers of Education and Public Health of a power without which he cannot show appreciation of the good work of the members of his department.

Dr. Ganesh Prasad : They cannot.

Lieut. Raja Durga Narayan Singh : We are not ourselves altering the rule but we are showing our displeasure in respect of the rule of the Secretary of State, so that he may rescind it. If the departments under the Minister of Education are not controlled by him in a way in which he desires, then I think he cannot hold himself thoroughly responsible for them.

Mr. G. B. F. Muir : I find the course of this debate somewhat perplexing. The last few speakers confined themselves entirely to the question of the reservation of thirteen stations for Indian Medical Service Civil Surgeons. But there were several other members of this House who wanted to move resolutions affecting the same item in respect of quite different matters and I wish to say a few words about some of the points to which they have drawn attention.

Mr. Desanges intended to move a reduction of one rupee in order to draw attention to the grievance of the Indian Medical department Civil Surgeons. Well, Sir, the question of the pay of Indian Medical department Civil Surgeons is extremely complicated, as I have the personal misfortune to know. The complication arises from the fact, of which certainly the old members of this House must be well aware, that up to a couple of years ago the Indian Medical department occupied a peculiar position in regard to civil surgeoncies. Although their cadre only included about 22 posts, there were actually 12 civil surgeoncies reserved for them, while in the case of the Provincial Medical Service officers the number of civil surgeoncies was only 8, although their cadre was something like 130—I do not quite remember the exact figure—and as a very natural consequence an Indian Medical department officer got promoted to a civil surgeoncy very much sooner than any Provincial Medical Service officer could hope for similar promotion.

In revising the pay of the Indian Medical department Civil Surgeons the intention was to place them as far as possible on an equality with the Provincial Medical Service Civil Surgeons, taking into account the fact that they had received promotion very much earlier in their service on the average than any Provincial Medical Service Civil Surgeon. The Government are fully aware that there is considerable discontent among the Indian Medical department Civil Surgeons as to the manner in which they are being

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treated. In fact there are now before Government a series of memorials from these officers. There is a good deal more to be said on both sides of this question than would appear from the speech made by Mr. Desanges. So far as I could follow him, I do not think he has got all his facts quite correctly. Well, those memorials are now being considered, and I can personally vouch and promise him that the examination of all the questions raised in them is being made very thoroughly, but I must also remind him that the subject is a transferred one and the item is votable, the grievance is financial, the remedy is financial and in the ultimate event this Council holds the strings of the purse.

Khan Bahadur Maulvi Fasih-ud-din in his speech raised another question, viz., that of the system of selecting stations for Indian Medical Service officers returning from leave. He complained that a Provincial Medical Service Civil Surgeon is liable to be transferred from a particular district to make room for a returning officer and he suggested that in such cases the returning Indian Medical Service officer should go to whatever civil surgeoncy happens to be vacant and should wait till a better station becomes available for him.

I should like to point out in the first place that in effect this rule applies not only to Provincial Medical Service Civil Surgeons but also to surgeons in the Indian Medical Service. The rule hitherto has been in the case of both the Indian Medical Service and the Provincial Medical Service that the junior man has to make way for the senior man.

There may be something to be said against the rule; there is certainly something to be said for it. But it hardly seems to me this Council can very well commit itself in the course of a debate which must necessarily be of an impromptu nature, to a recommendation which would involve an entire breach with past practice.

Now, Sir, I come to the question of the reservation of thirteen stations for officers of the Indian Medical Service. I have the Hon'ble Minister's permission to give information of what actually occurred, as that seems likely to remove certain misconceptions which seem to exist in the minds of certain members. Rai Bahadur Lala Sita Ram referred to the deliberations of the small committee appointed in 1921 to consider certain questions connected with the Medical department. At that time, so far as I remember, or shortly before then, the Government had been asked to report for the information of the Secretary of State what posts they recommended should be reserved for Indian Medical Service officers under the rule which has just been quoted by Dr. Ganesh Prasad. That question was referred among others to this committee and subsequently . . .

Pandit Nanak Chand : Does that rule permit reservation of stations also ?

Mr. G. B. F. Muir : I have no doubt that it does; but it hardly crops up at the present moment.

After receiving the report of that committee the Local Government sent up their recommendation to the Government of India and recommended a reduction in the cadre of the Indian Medical Service in these provinces. Their proposals were accepted by the Secretary of State in his recent order with two additions. I may mention that those orders, we are informed,

will be reconsidered when the report of the Public Services Commission has been considered by the Secretary of State. One of the two additions to which I have just referred was that any post actually held by an Indian Medical Service officer outside the posts, which this Government had recommended should be reserved for the Indian Medical Service, should continue to be held by an Indian Medical Service officer until further orders. The other addition was the reservation of these 13 civil surgeoncies. That reservation came about in this way. After receiving this Government's proposal with regard to reservation of posts for the Indian Medical Service the Secretary of State desired to be placed in possession of the views of the Surgeons-General and Inspectors-General of the various provinces. The views of the Inspector-General of these provinces were accordingly obtained and forwarded to the Government of India. Those who listened to the speech made by Rai Bahadur Lala Sita Ram will remember the extract he gave of the deliberations of the Committee. In connection with the proposal to reduce the number of Indian Medical Service officers in the province the suggestion was made that as a compensation to that proposal certain civil surgeoncies should be reserved for these Indian Medical Service officers. That proposal was made by the Inspector-General of Civil Hospitals of that time who was a member of the committee. When the Inspector-General was asked by the Government to place on record his views for the information of the Secretary of State, he adopted the view which had been expressed by his predecessor. In other words, he recommended that thirteen stations should be reserved for the Indian Medical Service. His views were forwarded to the Government of India by this Government without comment. They did not oppose them nor did they support them. I should perhaps go back for a moment to explain that the position up to that time was that 30 civil surgeoncies were reserved for the Indian Medical Service, but the stations were not specified. The Secretary of State, acting no doubt on the recommendation made by the Inspector-General of these provinces has reduced the total number of civil surgeoncies reserved for the Indian Medical Service officers to 25, but has among that number specified thirteen stations to be reserved for them. I do not think, Sir, that there is any other point raised in any of the speeches made by honourable members to which I need reply.

Lieut.-Col. R. F. Baird : The Hon'ble Minister and Mr. Muir have left really very little for me to reply to. With regard to the question of transfers I think it was the honourable member for Budaun who mentioned the case of the civil surgeon of the Provincial Medical Service who was transferred to make room for an Indian Medical Service officer. Well, unfortunately these transfers give rise to a lot of inconvenience to individual officers, and no one regrets it more than I do. At the same time, in running a department like this it is absolutely inevitable that certain inconveniences should occur. Mr. Muir explained very lucidly the usual departmental rules that we have to follow. If an Indian Medical Service officer occupies a station and a senior officer comes back from leave or some other appointment usually he gets posted to that station. We follow the same rule with regard to the postings and transfers of Provincial Medical Service officers.

There is only one other point which I would like to refer to and that is with reference to the reservation of posts. The honourable member for Meerut-Aligarh referred to it. He hinted that I should not care to discuss this question with him, but he is quite mistaken in supposing that I should not like to discuss it in the Council or anywhere else. But the

[Lieut.-Col. R. F. Baird.]

Hon'ble Minister has already spoken on the matter and it is not necessary for me to say anything more at present. I may however point out that I heard no references in this Council to the fact that the Indian Medical Service is open to Indians. That to my mind is a very important point. When you say that certain stations are reserved for the Indian Medical Service you do not mean that they are reserved for Europeans. The two things are quite different. It is open to Indians to get into the Indian Medical Service and indeed many Indians have already got into the Indian Medical Service and as time goes on many more will do so. That is the solution of the problem.

The Hon'ble Rai Rajeshwar Bali: I have only one or two words to add to what Mr. Muir has just said. He has explained the whole position so far as we could do so under the Standing Orders. I am glad that my honourable friend, Nawabzada Muhammad Yusuf, has reduced the cut to rupee one, thus making it only a token motion of protest. I am very grateful to him for this, as it would save considerable embarrassment in the administration of the department. As I have said before, I will forward the report of this debate to the Government of India.

Mr. H. C. Desanges: As I was the mover of the motion, I am replying to it in answer to my honourable friends on the Government benches. I do not consider that I am incorrect in any of my figures. It is very easy to say that a certain person is wrong; but where I have given facts and figures it is the duty of the person saying or wishing to say that I was wrong to have pointed out at least one instance where I was wrong. I have gone into the question with some care and I stand by the statements that I have made. In support of the statement I can also say, and this is correct, that, except in these provinces, there is no difference between the Indian Medical department civil surgeons and the Provincial Medical Service civil surgeons in any other province in this country. Why therefore this difference in these provinces? I also understand that the Secretary of State has sanctioned equalization between the civil surgeon of the Indian Medical department and the civil surgeon of the Provincial Medical Service. If the Government saw fit, and I do not think they were then wrong, to have promoted certain men into the grade from the Indian Medical department to Civil Surgeons, why penalize them now? Why visit the sins of their past action on them today and stop their pay, because so many years back they got promotion before somebody else? That is the logic. I have pointed out that men of 30 or 40 years' service and below are getting Rs. 575 a month, whereas men of eight years' service are getting Rs. 1,000, but I do thank the honourable member on the Government benches for this, that he has promised to look into the petitions that have been submitted to Government for equal treatment from these civil surgeons. On the understanding that the Government will look without prejudice into the claims of these men for equal treatment, I beg leave of the House to withdraw the motion.

The motion was, by leave of the Council, withdrawn.

Nawabzada Muhammad Yusuf: Although an assurance has been given by the Hon'ble Minister for Education and Local Self-Government that the wish of this House will be conveyed to the higher authorities, I wish

to leave the matter to the House to decide, and do not intend to withdraw my amendment.

The amendment was put to the Council and adopted.

The motion of Rai Bahadur Lala Sita Ram, as amended, was then put to the Council and adopted.

Thakur Hanuman Singh : I move that the demand of Rs. 5,39,100 under " 32B—Hospitals and Dispensaries " be reduced by Rs. 100.

By bringing this motion my desire is merely to bring to the notice of the Government and the House certain grievances of the rural population. The existing number of dispensaries in the interior of the districts is too small to meet the needs of the people, and until the Government increases their number and takes steps to introduce some cheaper system of medical aid, which might be within the reach of millions of people who reside in the remote corners of the districts, the present grievance of the people cannot be redressed. Considering what the Government has already done in the direction of medical aid to people in the rural areas, I make bold to say that even in a thousand years it will not be able to meet the requirements of the people, unless it introduces some cheaper system of medical aid. As to what that cheaper system should be, I am not inclined to say at this moment, as I wish to speak about it later. At present, however, I merely wish to emphasize that the number of dispensaries should be increased, and the stock of medicines in them considerably augmented. Under present conditions the stock of medicines in the village dispensaries is so small that it does not suffice for the people who go there for treatment. I am informed that the civil surgeons take out for the use of the Sadar dispensaries a part of the medicines which are provided to be used in the mufassil dispensaries. This practice is injurious to medical aid in the interior of districts. Now I come to another point. The mufassil dispensaries have to distribute country medicines. What are those medicines? They are medicines which every boy and girl in the village knows and on that account these dispensaries are not so popular as they might be. I am very sorry to bring to the notice of the Council that some sub-assistant surgeons, not all, charge certain fees for distributing medicines to the patients who go to those dispensaries. Such a practice, I think, should be stopped altogether. There are certain peripatetic dispensaries and the Government thinks that they are doing much good to the people. But my experience is that the Government is wasting money on them. Their number has been cut down, but I am sorry to find that an equal number of branch dispensaries has not been established in the districts. If the Government had cut down expenditure in certain directions that expenditure ought to have been diverted towards helping these people but it has not been done. The saving seems to have been diverted into some other direction in which the Government think it will be more profitable. I find that the contribution to the district boards for medical aid in 1922-23 was Rs. 3,88,168; in 1923-24 it was Rs. 1,64,695; and this year it is further reduced to Rs. 1,53,195. It was expected that with the coming of the district boards under Indian Chairmen the same contribution would be spent on medical aid to the people but it is regrettable to find that the amount has been cut down to more than half, and the present chairmen are helpless on account of the shortage of funds to do anything in that direction. It is a well-known fact that nearly all district boards are insolvent. The Government had promised that out of fifteen lakhs which it had withdrawn it would contribute to such district

[Thakur Hanuman Singh.]

boards which were financially insolvent, so that the closing balance of each of them may be brought at least to Rs. 25,000. I do not know why that amount has not been given to district boards in spite of the pledge and promise of the Government to do so. If the Government is so regardless and inattentive towards the rural population, I do not know what will be its fate in time to come. The Government of course pays for education, but it is not only education which can bring about the uplift of these poor millions. The medical need should be first attended to and then should come education. With these few observations I press my motion.

Mr. H. David : I am very thankful to my friend from Ballia for giving me an opportunity of airing my own grievances against this department. My first grievance is that this department has neglected lepers altogether. I find in the Triennial report that the Inspector-General of Civil Hospitals has done away with this subject in only four sentences. In these four sentences he has shown that this department has failed to do anything. The subject of lepers is a very important one. I learn from Dr. Muir, Principal of the Tropical Diseases College at Calcutta, that in the early stage it can be almost eradicated. Further, I find from the speeches of Sir Leonard Rogers that special treatment by injection of the principle of chaulmorga and other oils have been found to be very efficacious. It now appears that leprosy can be very well dealt with by segregation and dispensary treatment. I wish to be informed by the Inspector-General of Civil Hospitals how many asylums, which are said to be 48 in number, were visited by him, and with all respect I would ask the Hon'ble Minister himself to let this Council know how many of such asylums were visited by him. The lepers are the most miserable creatures in the world and I am really surprised to see that a Christian Government should not have taken full care of them. There seems to be a lot of confusion about these leper asylums. From the census report for all India I find that there are only 14 such asylums in the United Provinces. But when I turn to the report of the Medical department, I find the number is 48. In these 13 or 14 asylums there were only 900 lepers. Therefore the rest, about 11,000, must be either in other asylums or in private houses. Was any attempt made to treat these lepers? If so, I hope the Medical department will be pleased to let this Council know the result. Then I find that there is another confusion in the report of the Medical department and I give an example. I was looking for the number of the aided medical dispensaries. In one appendix I found the name given of a dispensary and this is the name of the Kinneard Mission Dispensary of Lucknow, but when I turned to the appendix where are given the expenditures of these dispensaries I found no mention of this institution. That shows the carelessness with which these statements are prepared. Now, Sir, I have again to speak on the subject of the Almora sanatorium in this Council. I find that a promise was given to me during the last budget debate, but it has not materialized. No increase has been given to that sanatorium. There are only two consumptive sanatoriums in these provinces : one is at Bhowali and the other at Almora. Grants are made by Government over and over again to the Bhowali Sanatorium and even this year an additional grant is, I think, foreshadowed, but I find that the grant to that Mission Sanatorium at Almora, has not been increased and this state of affairs is defended on the same plea of financial stringency. I would appeal to the Hon'ble Minister

and request him to tax the rich and help the poor and sick. Lastly, I come to one thing which is, I think, of great importance. I take my cue from what fell from the lips of my friend Babu Vikramajit Singh. I understand that civil court officers are required by rules to note down in their own handwriting the time when they come to their court and the time when they leave it. I wish some such system should also be introduced in the case of medical officers and their subordinates requiring them to note down when they attend their hospitals and when they leave them. After all we are human beings and we are apt to be negligent and we are apt to be unpunctual. I think that if there is anything more necessary, it is punctual and regular attendance of the medical officers. With these few remarks I resume my seat.

Pandit Baijnath Misra : The honourable member for Ballia has very rightly raised the question of medical aid to the villagers. There is an arrangement for recording births and deaths occurring in villages. If to the statement which is published every year a table were added showing how many of these persons who died in villages were really treated or really received any medical help, it will be found that it will be a very interesting table for the information of this House and for the information of the Government. If another table showing how many persons who fell ill in villages died and how many who fell ill recovered were added, it will be found that the proportion of deaths is simply appalling. A perusal of such tables will show that medical aid to the villages is a crying need. I do not think it is doubted either by the Government or by anybody else. The problem is only how to supply that relief to the villages. It is indeed a question of funds. The allopathic system which is in vogue is a very costly system. If it be possible to supply medical aid on the allopathic system to each and every village, it will certainly be very welcome, but looking to the finances of our province it is simply an impossibility. Therefore as long as it is not possible to provide all the money that is necessary to supply medical aid on the allopathic system to the villages, it is necessary for the Government to think of and devise some other means to give relief to the villagers. I think suggestions were made in the last Council as well as in other quarters that the Government could do so by patronizing or encouraging the two other systems of medicine that are in vogue in this country, I mean the Ayurvedic and the Tibbi systems. If encouragement were given to vaid and hakims, it will be possible with a very small expenditure of money to provide medical aid on these two systems to almost every village. I would put it to the Hon'ble Minister whether it is not proper to adopt that means of supplying medical aid to the villagers if he is not in a position to do so on the allopathic system on account of paucity of funds.

The Hon'ble Rai Rajeshwar Bali : So far as the question of medical relief in rural areas is concerned, I have every sympathy with the honourable member for Ballia and the honourable member for Azamgarh. I myself belong to the rural areas and therefore know how much need there is for the extension of medical relief there.

Tnakur Hanuman Singh : The Hon'ble Minister is inaudible on this side of the House.

The Hon'ble Rai Rajeshwar Bali : I was saying that I myself belong to the rural areas and so I knew what great need there was for the extension of medical relief there.

[The Hon'ble Rai Rajeshwar Bali.]

But to carry on any large schemes of expansion there are difficulties, and mainly financial difficulties. I am ready to do whatever I can, but it is all a question of funds. I further agree with him on the point that if we were to extend indigenous systems the cost would be to a certain extent less. I myself am, in consultation with the medical department, preparing a scheme. The first difficulty is that we cannot distinguish between those that have been properly trained and those who are just quacks. I think the first step that we should take in this direction is to hall-mark the genuine hakim and vaid from the imitation ones. That is our first need, and I am trying to find out a scheme by which some sort of medical board of examination for indigenous medicines could be founded. I do not know how the hakims and vairs who are at present practising will take the suggestion, but if there is no very great difficulty in the way I hope I shall be able to put that scheme before the public very soon. As for the training of hakims and vairs there are two opinions on the subject. The one is that in the present state of financial stringency we should continue to give aids to those schools and colleges that already are in existence. For instance, there is one at Hardwar. There are several Tibbi schools in Lucknow, and the Hindu University at Benares has opened a college and the University is wanting some aid from us. We have to decide whether we are at present to proceed with aiding these schools and colleges or whether we ought to have our own schools and colleges. I have not been able yet to go thoroughly into the question, but, so far as I can say just now and with special regard to our financial conditions, I think it would be a better policy if we try aid and help these schools and colleges. Therefore it will be seen that as far as extension of medical relief in rural areas is concerned, our chief difficulty is finance. Personally I am as willing to help as much as I can by giving aids and by thus facilitating the task of training these vairs and hakims.

Thakur Hanuman Singh : I expected, Sir, from the Hon'ble Minister a more satisfactory reply that he has been pleased to give me. In spite of his representing the rural areas and coming from the interior of a district he has been very much affected by the bureaucratic atmosphere in which he is placed. He admits the need of medical aid to the rural areas, but at the same time he says that he cannot do much in that direction owing to financial stringency. Financial difficulties will continue to exist as long as this expensive form of government exists; but in this connection I may be permitted to say, Sir, that where there is a will there is a way. How does the Hon'ble Minister find heavy sums to be contributed to the municipalities and how is he not able to do anything or find any sum appreciable to be spent on medical aid to the people in the villages? He has referred to the indigenous systems; but after making this brief reference he has reverted to the same things which I have been hearing for the last four years from his predecessors in office that they would give aids to Ayurvedic schools in which these medicines are taught. Well, he must know that teaching in these schools requires some good knowledge of Sanskrit. Knowledge of Sanskrit is not possessed by very many. But if he cares to take upon himself to do something to impart medical education in the vernaculars of the provinces, then he will be doing a great service and doing justice to the people whom he represents in this House and who have been treated since a very very long time very badly. He has said that he would get advice of experts. Who are these experts? Are they those who know nothing of

indigenous systems of medicine? I think he will most probably succumb to their influences when the question will come up to be definitely decided. A mere appointment of a board of examination for indigenous systems of medicine will not solve the difficulty.

You may have any number of boards to examine, but unless you impart education you will not find the examinees for whom you will appoint those boards. I think I have said enough now and I desire to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

Kunwar Rajendra Singh : I beg to move "that the demand under 32A—Medical—Medical establishment—District Medical officers—Traveling allowance" be reduced by Rs. 15,000.

This relates to the travelling allowance of civil surgeons who go on tour, mainly for inspection. We know that no work of practical value is done by them and probably it is for this reason that the Economy Committee recommended the reduction of this amount and further the Government also accepted it in their resolution. I, therefore, think that this amount should be reduced and I trust the Hon'ble Minister will accept it.

The Hon'ble Rai Rajeshwar Bali : I accept the motion.

The motion was put and adopted.

Chaudhri Sheoraj Singh : I move that the demand under 32A—"Medical—Medical establishment—District Medical officer—Contract contingencies" be reduced by Rs. 4,000.

I am really surprised to see that the Government has not been pleased to give effect even to those recommendations of the Economy Committee which they themselves had accepted in their resolution. Honourable members will find on page 21 of the resolution, it says:—"The reduction in tour charges recommended by the committee was proposed by the Inspector-General of Civil Hospitals himself and has been accepted by Government. The saving will be Rs. 15,000 in the travelling allowance allotment and Rs. 4,057, being the allotment for carriage of tents of civil surgeons. This reduction will be made in the demand." I hope the Hon'ble Minister will be pleased to reduce the grant.

The Hon'ble Rai Rajeshwar Bali : I accept the motion.

The motion was put and adopted.

Chaudhri Sheoraj Singh : I move that the demand under 32D—"Medical—Medical School, Agra—Salaries" be reduced by Rs. 4,800. In this case too the Government has accepted the recommendation of the Economy Committee, but it was not given effect to in the budget. I hope the Hon'ble the Minister will accept the motion and reduce the sum.

The Hon'ble Rai Rajeshwar Bali : I accept the motion.

The motion was put and adopted.

[The Hon'ble the President here resumed the Chair.]

Rai Bahadur Thakur Mashal Singh : I beg to move that the demand under 32D—"Medical—Medical School, Agra—Remuneration to examiners" be reduced by Rs. 6,000. I have not attacked any item of the Medical department provided for salaries, or travelling allowances or medicines. I simply want that examiners should forego at least half of the remuneration which is paid to them.

Mr. G. B. F. Muir : If honourable members happen to have with them copies of the report of the Economy Committee, they will see that the Inspector-General of Civil Hospitals has himself recommended that Government servants appointed to conduct certain examinations should not be remunerated therefor, and the Government were disposed to accept that suggestion and have in fact in the resolution said that they would do so. However, it now appears that the State Board of Medical Examination considers that it should have been consulted in the matter before Government came to that decision. It was perhaps desirable that this should have been done. Government do not intend to resile entirely from the position they have taken up, and only desire to be placed in a position to take into consideration any arguments which may happen to be advanced by the State Board of Medical Examination when this question is referred to it. I may explain also that the Board only meets once a year and that is why the question was not referred to it before the resolution was issued. The necessity of making a reference to the State Board ought to have occurred to me, but unfortunately it did not. I hope the honourable member will not press his motion.

Rai Bahadur Thakur Mashal Singh : I beg to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

Thakur Hanuman Singh : I rise to move that the demand of Rs. 2,08,800 under 32D—"Medical—Medical School and College" be reduced by Rs. 16,000. In bringing this motion it is not my desire to have such a big cut in the expenditure of the Medical School, but what I intend to bring to the notice of this House and of the Government is that in 1922 on 14th December Thakur Manak Singh brought forward a resolution—"That this Council recommends to His Excellency the Governor acting with his Ministers that with a view to make medical aid available to the greatest number of the population of these provinces, compatibly with the financial condition of the province, early steps be taken to rehabilitate the indigenous systems of medicine by opening, *inter alia*, a school in each division which should impart instruction in Unani and Ayurvedic systems to youths equipped with the highest vernacular qualifications available within the province."

This resolution was passed with a slight . . .

The Hon'ble Rai Rajeshwar Bali : I rise to a point of order. The question of opening an Unani and Ayurvedic college has already been discussed.

The Hon'ble the President : The honourable member cannot discuss it again.

Thakur Hanuman Singh : This was never discussed.

The Hon'ble the President : I take the Hon'ble Minister's word for it.

Thakur Hanuman Singh : You are in the Chair, Sir, and you should say whether he is right or not. The question of Ayurvedic colleges was never discussed.

The Hon'ble the President : The Deputy President says it was discussed; the Hon'ble Minister says it was discussed and I have accepted that it has been discussed.

Thakur Hanuman Singh: Very well, Sir, then I must bow to the Chair.

The Hon'ble the President: If the honourable member wishes to proceed he may do so without referring to the discussion of this matter.

Thakur Hanuman Singh: I beg leave to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

Rai Jagdish Prasad Sahib: I beg to move: That the demand under 32D—"Medical—Medical Schools and Colleges" be reduced by Re. 1.

My object in moving this motion before the House is simply to offer a suggestion. We know, Sir, that our medical schools and colleges are at present turning out competent doctors, but these doctors have to depend for the supply of medicines on foreign countries. May I ask, Sir, how many institutions are there in this country and, for the matter of that in these provinces, where the manufacture and production of European medicines and drugs is taught. India, Sir, is a poor country, and it is my belief that she will continue to be poor as long as she has to depend for the supply of her requirements on foreign countries.

The Hon'ble the President: Is the honourable member reading from a paper?

Rai Jagdish Prasad Sahib: No, Sir. These are only notes.

My belief is that she will continue to be poor as long as she has to depend for the supply of her requirements on foreign countries. It is therefore my humble suggestion that, along with the teaching of the allopathic system in our medical schools and colleges, an experiment should be made in the direction of the teaching the production and manufacture of these drugs and medicines with which our doctors have to deal after finishing their school and college career.

With these few words, Sir, I beg to offer the suggestion for the consideration of the Hon'ble Minister.

The Hon'ble Rai Rajeshwar Bali: I have not enough technical knowledge to say whether it will be possible to introduce in our medical courses the teaching of the manufacture and production of medicines and drugs, as has been suggested by my friend the honourable mover. But if it is possible we shall examine the question.

Rai Jagdish Prasad Sahib: I simply wanted to draw the attention of the Hon'ble Minister to this; I have no desire to press the motion.

The motion was, by leave, of the Council, withdrawn.

The Hon'ble the President: The original motion was for a grant of Rs. 19,24,800 under the head 32—Medical. Since when the Council has made reductions amounting to Rs. 23,801, leaving a net demand of Rs. 19,01,009. This is the demand before the Council.

The question is—that the demand of Rs. 19,01,009 under the head 32—Medical be granted.

The motion was put and adopted.

Demand No. 11.**HEAD 33—PUBLIC HEALTH.**

The Hon'ble Rai Rajeshwar Bali : I beg to report to the Council the recommendation of His Excellency the Governor that under head 33—Public Health, a sum of Rs. 11,22,120 be granted. To this may be added a sum of Rs. 2,12,480 which is non-votable, making a total demand of Rs. 13,34,600. I beg to move that this sum be voted.

The Hon'ble the President : There is one motion, motion No. 3, in the name of Khan Bahadur Maulvi Fasih-ud-din for the reduction of Rs. 20,800.

Khan Bahadur Maulvi Fasih-ud-din : I do not wish to move it.

Thakur Hanuman Singh : I rise to move that the demand of Rs. 1,16,925 under 33A—"Charges for Municipal Health and Sanitary Officers" be reduced by Rs. 10,000. I wish to bring to the notice of this House that all these sanitary officers are utilized, for the most part, by the municipalities. So, I think, the municipalities should meet the cost of these men to a very great extent and not the general tax-payer. I have nothing more to say.

Mr. G. B. F. Muir : So far as I could make out, the only point made by the honourable member was that municipal boards should meet these charges to a very great extent. Sir, they do so already. They meet half the cost. I do not know whether he would suggest any other proportion. This proportion has been maintained as reasonable and it could not be changed now at a moment's notice.

Thakur Hanuman Singh : Does the Government propose to increase the proportion to be borne by these municipal boards to any higher figure?

Mr. G. B. F. Muir : No, Sir. There is no suggestion to that effect.

The Hon'ble the President : Do I understand that the honourable member wishes to withdraw his motion?

Thakur Hanuman Singh : I wish to withdraw the motion.

The motion, was, by leave of the Council, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that the demand under 38 A—"Supply and Services" be reduced by Re. 1. I only wish to point out, Sir, that the rule regarding the health officers in third class municipalities is acting rather harshly. Most of the municipalities in these provinces are, as we all know, in an unsatisfactory condition from the point of view of finance. That is specially the case with regard to third class municipalities. I know, Sir, that third class municipalities have got an option in the matter of appointment of health officers, but it is my experience that in most cases this option takes the shape of a command from higher authorities. I wish therefore to draw the attention of the Hon'ble Minister to the fact that either the rule about the appointment of health officers in third class municipalities should be altogether abrogated or at least a sort of a *communiqué* should be issued that these municipalities need not appoint health officers if they do not choose to do so.

Mr. G. B. F. Muir : I think that the position is already perfectly clear in the Act itself. I have not got a copy of the Act with me just at the present moment, but I think the section runs something like this: "Any board may, and any board of a city if so required by the Local Government shall, appoint"—certain officers, among whom is mentioned a health officer. I do not see how the matter should be more clearly put than that. The position must be known to all municipalities, including third class municipalities, and the Government has got absolutely no power to force the appointment of a health officer if a third class municipality does not wish to appoint one. As to giving advice to appoint a health officer, that is altogether a different matter and I do not think that the honourable mover suggests that no advice should be offered to municipalities by the Public Health department.

Khan Bahadur Maulvi Fasih-ud-din : It is within my knowledge that some of the municipalities have been compelled by the higher authorities to entertain health officers, but in view of the assurance given from the Government bench I beg to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

Mr. Ashiq Hussain Mirza : I move that the demand of Rs. 1,980 (conveyance allowance to Executive Engineer and two sub-divisional officers of Public Health, Lucknow) under "33—Public Health" be omitted. A similar demand was put forward by the Public Works department yesterday, and that demand was refused by the Council. According to the old proverb that which is sauce for the goose is sauce for the gander, I hope that the demand will be rejected.

Mr. G. B. F. Muir : I was not present in the Council yesterday when the demand mentioned by the honourable mover was dealt with and therefore I do not know the reasons for its rejection. I will, however, put before the Council the reasons as to why this particular demand has been put forward. The Executive Engineer of Lucknow, Public Health department, has a number of different works under his charge and for the proper discharge of his responsibilities he considers it necessary to visit those works practically every day. One of them is at Aishbagh, another is some way down the Gomti, a third is the sewage farm, and there may be others. All these the Executive Engineer has to supervise. On an average he reckons that for that purpose every month he covers not less than four hundred miles in his own car. He uses his own petrol, and his own oil; he wears out his own tyres and his own car on public duty, and does not get any travelling allowance in return. The alternative before him is either to neglect his public duties or to neglect his own interests. It seems to me that this small item is a very fair demand indeed.

Mr. Ashiq Husain Mirza : I regret I cannot accept the explanation offered by Mr. Muir. If an allowance of this description is to be given to one officer, there is no reason why it should not be allowed to other officers of other departments who are placed in a similar position. With these words I press the motion to the vote of the Council.

Mr. E. A. H. Blunt : May I point out that the Police department do get it. It is perhaps the Public Works department and the Public Health department which only do not get it.

The motion was put and adopted.

Dr. Ganesh Prasad : I beg to move that the demand under "33A—Public Health" be reduced by Rs. 100.

My object in putting forward this motion is, as is clear, to make a general criticism of the department of Public Health and to make an appeal to my friend the Hon'ble Minister for Public Health.

The Hon'ble the President : Does the honourable member wish to make general remarks?

Dr. Ganesh Prasad : Yes, Sir, with your permission I wish to do so. I moved the reduction of the demand under this sub-head 33A because under the other important sub-heads there are considerable decreases below the corresponding figures of 1923-24 and there is increase in the case of 33A over the figure of that year. I come, Sir, as I have frequently mentioned, from a district which has of late gone through very unhappy experiences, and this can be very easily seen from the fact that the present population of Ballia is much less than what it was in 1901. Ballia has always figured as one of the principal districts which have suffered from plague, cholera, fever, and influenza. You can very easily imagine my feelings when I find myself absolutely helpless to do anything for the district of which I am a native. The district of Ballia is, however, not quite unique in this respect. In fact, the population of the whole of the United Provinces has been more or less stationary for several years, and this shows how little is what we have done to improve the general health of these provinces. The people are incessantly engaged in a grim struggle for bare existence. During the last twenty-three years we have lost well over 100 lakhs of lives from preventable diseases. I have got here the remarks of a very eminent medical authority, I mean Colonel Megaw, who is not unknown to the United Provinces. Colonel Megaw makes certain observations about the whole of India, and as our provinces have the ill-luck of being specially unhealthy, his remarks are equally applicable to the United Provinces. Colonel Megaw says :—"Looking at some of the most obvious symptoms of the disease of India we find that more than five millions of people suffer the death penalty every year from preventable diseases, many days of work are lost yearly by each worker from the same cause, and the average efficiency of each worker is diminished by about twenty to thirty per cent. from the combined effects of preventable disease and malnutrition. These bald statements, which are admittedly true, indicate a terrible state of affairs; they show that nature, combining the functions of lawgiver, judge, and executioner, punishes millions of people by death every year and imposes minor penalties in the form of pain and mutilation on tens of millions. Her fines which are levied on the property of every inhabitant of India, amount in the aggregate to thousands of crores of rupees yearly." It is known that the population of the United Provinces is about one-fifth of the whole of British India. An easy calculation will enable us to see that even on the score of economy we should try to spend more on the public health, for the annual economic loss on account of preventable diseases comes to about a thousand crores of rupees. I am not a Doctor of Medicine and therefore it would be presumptuous on my part to say what the exact steps are that should be taken in the matter of improving public health in these provinces. But I happen to be a fairly old man, and I know what steps will probably commend themselves to the general public. I think it is absolutely necessary that the Hon'ble Minister for Public Health, who is a pious Hindu, should

place before himself as his chief and primary duty the keeping of the population of these provinces alive so far as lies in his power. If the population is going to dwindle from year to year, then all this show of expenditure practically comes to nothing. We are carrying on a bare existence for life, and I think it is the duty of every member of this House to see that the population whom they represent should not suffer from preventable diseases. The expectation of the life of an inhabitant of these provinces is less than 20 years. I think one of my friends who I am glad to see is present—remarked the other day that I was suffering from statistical hysteria. I may tell him that it will be good for the country if the members of this House, specially those who sit on the official benches, get infected by statistical hysteria. I have got in my mind an article recently written by an eminent economist and sociologist, Professor C. J. Hamilton. I do not wish to take up the time of the Council unnecessarily and I would therefore just like to read a few lines from the article. Professor Hamilton says: "It is by the aid of statistics alone that it is possible to reduce the immense body of detailed fact presented in the life of a continent of over three hundred millions of people or even of provinces with thirty or forty millions, to a form in which it can be handled so that the parts of the body politic may be articulated and their intimate interactions understood. The work of governing and administering well is ceasing to depend upon a knowledge of social philosophy and more and more turns upon the accuracy of statistics and mathematical analysis." I would not have read this extract but for the observation that was made by the Education Secretary. I think it is very desirable that those who sit on the official benches should remember that they are custodians of the interests of the tax-payers and the general public possibly more than we the non-officials, who are here to represent that public but are helpless to do much for them.

I believe, Sir, that a very strong committee should be appointed by the Government in order to consider the question of the unhealthy state of these provinces. It is a very serious question and will become more important as time goes on. I am a layman and I have not the capacity to propose the exact steps that should be taken to remedy the state of affairs, but I would request the Hon'ble Minister to look into the article written by Colonel Megaw in the "Indian Medical Gazette" for the month of February and he will find that one of the steps which should be taken by the United Provinces Government in the matter of improving the public health is the appointment of a committee.

Mr. E. A. H. Blunt: The debate reminds me of a saying about statistics. It runs as follows:—"There are three classes of liars. The first is the liar; the second the damned liar, but the worst of them all is the statistician." I hope that the honourable member will keep his love for statistics within bounds. The only point which I want to make clear and to which he referred in the beginning of his speech, was that the public health establishment is the only branch of the department in which there has been increased expenditure. This shows that in spite of the statistical hysteria from which he is said to be suffering he has not properly looked into the pages of the budget. If he will look elsewhere than on this particular page, for instance under the head "Loans and allotments to local bodies" and also under the head "Public Works outlay met from capital," he will find that there is a great deal of expenditure on Public Health.

Dr. Ganesh Prasad : I wish to explain myself. I was speaking about public health. If the honourable member will refer to the figures which are in very bold type he will find that the chief increase is under 33A. Under head 33B there is a decrease, also under head 33C there is a decrease. I hope my contention is borne out by those figures.

Mr. E. A. H. Blunt : I was about to explain this point when the honourable member interrupted me. Because there is less expenditure in this place it does not follow that there is a decrease in the total expenditure on public health. There is more money for public health elsewhere. If the honourable member will look more closely into the budget he will find that a sum of about 15 lakhs has been provided for public health in the two places I mentioned which formerly was shown here and which we have now shown under capital heads. The exact figure under these heads is Rs. 14,85,000.

Thakur Hanuman Singh : I rise to associate myself with my honourable friend Dr. Ganesh Prasad with what he has said about Ballia. Ballia is a place where plague always remains. I may say, it is the headquarters of plague. There is no year in which they do not suffer from cholera. Whatever may be the other causes, the chief cause is the annual flood, but in this connection I wish to say that those medical officers and health officers who are paid for the prevention of diseases and looking after the sanitary conditions prevailing in the interior of the district do not discharge their duties as they ought to do. I have seen officers going to villages affected with cholera and what they do. They simply pass through the villages and take down some notes in their pocket books and return to the headquarters. It is a fact what I say before this Council and I am satisfied with the truth of my statement. Well, are they paid only for this purpose, or are they paid to do all that is possible towards preventing the disease and treating as many cases as may be possible under the circumstances? Next thing which they do is that they depute some vaccinators with permanganate of potash which, they must be glad, is now much cheaper than it was during the war time, and that medicine is put into the wells. The vaccinators then being afraid of their own lives retire to some healthier place where there is no danger of catching the infection. Well, Sir, this is the way in which the rural people are being treated and whenever there is any deficit in the budget, proposals for fresh taxation on these very people are brought forward, and the matters have reached such a state that though taxation after taxation is being heaped on their shoulders, in return they are not getting anything which may be considered at all satisfactory. Medicine and health are things which are most needed for human beings as well as for animals to prosper and it is these things which are being denied to them ever since the advent of the British Raj.

The Hon'ble Rai Rajeshwar Bali : I very much regret that I am neither old nor a doctor of any kind nor do I know much of Ballia up to this time, but the impression that has been left on my mind by the speeches of the honourable member for the University and the representative of Ballia is that our Public Health department has neglected this district up to this time.

Thakur Hanuman Singh : Not only this district but many other districts also.

The Hon'ble Rai Rajeshwar Bali : Fortunately what we find is that the figures for cholera for this year and for the year that is just over indicate that, owing to the activities of the Public Health department, instead of having about 80,000 deaths every year, we are now having less than 3,000 deaths a year.

Thakur Hanuman Singh : That is not due to the activities of the Public Health department but to the good luck of the people.

The Hon'ble Rai Rajeshwar Bali : If all our work is due to good luck, then I wish that we may have good luck in every respect. We have spent a large sum over plague activities in Ballia.

Dr. Ganesh Prasad : May I know the figures ?

The Hon'ble Rai Rajeshwar Bali : I do not know the figures myself just now, but I can give them to the honourable member privately. But we have spent large sums in Ballia, that is the report. Moreover, this year the mortality for the whole province stands much lower than it was before. The average of ten years from 1912 to 1921 was 1.32; last year (1922) it was .05; this year it is .06: that is to say, there has been a decrease from 1.36 to .06. I think much credit is due to the Public Health department for these activities. This year the figures for mortality have been the lowest that have been on record during this century. For cholera specially, they have been the lowest since 1885. This is due to the fact that instead of our officers flying away from the infected areas, they have tried to nip the epidemics in the bud. Whenever we receive a report about the outbreak of an epidemic at any place, we immediately send our officers and all the activities of the department are concentrated there. Malaria figures also for this year are the lowest. In the matter of plague too we have been considerably successful. Therefore it cannot be said that our activities have been fruitless up to this time. If we get more money, we can certainly improve to a greater extent.

Pandit Baijnath Misra : I would join with the honourable member for the Allahabad University not in complaining that the officers of the Sanitary department are not doing all that they can, but rather in remarking that in certain respects more attention should have been paid to particular districts than has been the case. I would point out that though under the present state of our finances all that is necessary to be done cannot be done, yet there is room left for the Sanitary department to act in some particular way so that some more relief may be given to the districts which deserve it most. From the report of the Director of Public Health for the year 1922 which alone is available, it will be found that there are particular districts that suffer from particular diseases, and they suffer the most in that respect. Ballia has already been mentioned as suffering badly from plague. The honourable member who mentioned Ballia might have remembered the neighbouring district, I mean the district of Azamgarh.

Thakur Hanuman Singh : I thought the honourable member for Azamgarh would take care of it himself.

Pandit Baijnath Misra : It will be found from the public health report that it was Azamgarh that suffered most from plague. I have interpellated Government in that respect and I have asked for figures of death by plague with respect to a number of years. It will be found I fear,

[Pandit Baijnath Misra.]

Sir, that Azamgarh along with Ballia are two districts of the province that have suffered most from plague during many years past. My complaint is that nothing in particular, nothing special has been done, no special attempt has been made in order to relieve these districts against this calamity—I mean plague. It was necessary to find out what were the particular causes that led to plague remaining in those two districts for almost the whole year; what were the particular causes that led to the mortality from plague being the highest in these two districts. These things should have been inquired into and when the causes were found out remedies should have been devised in order to give special relief to these localities in the province. It will therefore be not unjustifiable on my part to say that even with the paucity of funds which faces the Government and the little money at the disposal of the department these particular things should have been attempted. There are other districts which I notice suffer from particular diseases similarly and attempts to give them relief should have been similarly made. I may mention Garhwal and Almora which suffer specially from dysentery and Lucknow and Hamirpur which suffer most from respiratory diseases. I submit that even in the present state of the finances particular attempts, particular inquiries were necessary to be made in the case of these districts in order to find out the particular causes of the diseases. It is true, Sir, that the work before the Finance department is very vast, and very little has yet been accomplished. In spite of crores of rupees that have been granted to Improvement Trusts and towns, in spite of lakhs and lakhs that have been given to district boards in the years past for improvement of sanitation in villages, the condition of our villages—the sanitary condition of our villages and towns is anything but desirable. I admit that it is not the fault of the department of sanitation. That department suffers from want of funds. The House has been dealing with this demand in the only way in which constitutionally it is possible for this House to deal with it, namely, by moving amendments for reduction or omission where economy is possible or where extravagance is suspected. If it were, however, possible for this House to move additional expenditure, I say, Sir, that this is one of the departments for which many members in this House would have been glad to move additional expenditure. The Government can very well take note that if they come forward before this House with a proposal to tax—with a taxation proposal—with the recommendation that this particular department stands in urgent need of more money and that the sum they want to raise by taxation will be earmarked particularly for this department—education is another similarly deserving department—and if they show that they have effected economy wherever possible in other departments, I think that their proposal for taxation will not be unwelcome to the House. I would, Sir, in the end only ask the Hon'ble Minister of Education and Local Self-Government that even in the present state of bad finances some special attention should be given to the districts that are particularly suffering from particular diseases.

The Hon'ble the President : Does the honourable mover wish to press this motion ?

Dr. Ganesh Prasad : I do not wish to withdraw this motion, but I would not hesitate to say that the reply of the Hon'ble Minister has not convinced me.

The motion was put and negatived.

Chaudhri Sheoraj Singh : I move, Sir, that the demand under "33B—Public health—Grants for public health purposes—Grant for tuberculin treatment" be reduced by Rs. 500.

The Government in their resolution have accepted that the demand under this head be reduced from Rs. 600 to Rs. 500 as was suggested by the Inspector-General of Civil Hospitals in his letter to the Economy Committee. But this reduction has not been given effect to in the budget. It is on this ground that I move for this reduction, which I trust will be accepted by Government.

The Hon'ble Rai Rajeshwar Bali : I accept this reduction.

The motion was put and adopted.

Raja Suryapal Singh : I beg to move that the demand under "Urban Sanitation" (33B—Public health—Miscellaneous allotments) be reduced by Rs. 50,000. I find that a sum of Rs. 1,00,000 has been increased owing to the recent restoration of this grant. I understand that a much smaller sum was provided for urban sanitation in the last year and I can see no reason why this grant should be restored. For this purpose I move this reduction.

Thakur Hanuman Singh : I rise to move that the sum of Rs. 50,000 be substituted by Rs. 35,000. In moving this amendment to the motion which has been moved by Raja Suryapal Singh, I desire to say that the grant for urban sanitation has been raised from Rs. 1,00,000 to Rs. 2,05,000. This does not seem justifiable especially when I see that the rural grant is only of one lakh. From the budget of the Public Health department I find that everything is being done for better sanitation in the municipalities and nothing is provided but this paltry sum of Rs. 1,00,000 for the rural areas. You will find on page 88 that the amount of Rs. 5,38,000 has been provided for sanitary engineering. This Sanitary Engineering department exists for the municipalities only and people in the rural areas derive no benefit. So I propose that the Government should stop its liberality towards the municipalities and see to the needs of the rural population ; after that the urban population may get something more.

Mr. R. Burn : I understand the object of the honourable movers of these two motions is not to reduce the total grant for "Grants for sanitary purposes" but to transfer the money from "grant to urban areas" to "grant to rural areas." I may explain for the information of the Council that these grants are as a rule placed at the disposal of the Board of Public Health and the question of improving the sanitation in rural areas is one to which that Board has given a very great deal of attention. We have had for a number of years a grant of one lakh, and it has been our experience, I think almost universally, that we had the greatest difficulty in getting that lakh of rupees spent advantageously. For example, in the current year we placed grants at the disposal of district boards and together with the balances from previous years these boards had on 1st of April last year a sum of Rs. 95,000. We get up quarterly statements from districts and we scrutinize them very carefully and where a district is not spending money we write to the chairman of the district board and ask him to expedite the business. During the current financial year the boards spent only Rs 5,000

[Mr. R. Burn.]

in the first quarter, less than Rs. 1,000 in the second quarter, and less than Rs. 3,000 in the third quarter; so that in nine months of the current year they spent only Rs. 9,000 out of the Rs. 95,000 at their disposal. The Board of Public Health in view of this difficulty of getting money spent through district boards have recently tried a new system. At the beginning of each financial year when we get our grants we now make over a certain amount of money to Commissioners for expenditure on rural sanitation through panchayats. This, however, is only the second year in which the experiment has been tried and we have not yet had any complete report as to the success of that system. I think myself that it promises very well and in future the Board of Public Health will press on Government the need for larger grants for sanitary services in rural areas. But so far as the budget year is concerned, the position of the Board of Public Health is that we want even more money than we have got for urban areas. The honourable and learned doctor who moved a reduction recently in the hope of getting more money, prefaced his remarks by a statement of his pride in the district of his birth-place. I would point out to the honourable Raja Sahib that one effect of thus reducing the grant for urban areas would probably be that a town in his own district would suffer a great deal. In addition to the grants which were placed in the budget by Government this year the Board of Public Health pressed for grants to one or two more other towns. One of them is the town of Soron in the Etah district. We have a project there which will cost a good deal of money, and I see that the Finance department have not been able to give any money for it. If we keep this grant of two lakhs for miscellaneous purposes in municipal areas, it is quite possible that we can spare some money for Soron. I may also bring to the notice of this Council one matter of general application; that is, it is notorious that in most parts of India the mortality is very much higher in the towns than it is in the villages. Thus taking only the last three years, we find that the provincial death-rate in municipalities has always been from 6 to as much as 13 per thousand in excess in cities over the rate in rural areas. It is not that the Board of Public Health wish to spend less money in rural areas but the position is that at present a satisfactory scheme for spending large grants in rural areas has not been worked out. In towns we have schemes worked out with a great deal of care and we really need a great deal more money than Government can afford at the present time.

Mr. Muhammad Aslam Saifi : I have listened with great attention to the remarks of Mr. Burn about there being plenty of money in the hands of the Board of Public Health, and their not being able to spend the money because they could not get a workable scheme. This is my chief complaint. In the first place, I notice that out of a grant of 13 lakhs there is only a sum of 1 lakh for sanitation of rural areas, and then out of this in three quarters of the year only Rs. 9,000 out of Rs. 95,000 has been spent. I think there is something radically wrong somewhere. I cannot say anything about the Board of Public Health because it is only an advisory body. I think those who are responsible for spending this money and carrying out the projects of improvement in the rural areas must be called on for some sort of explanation. I suppose the improvement of sanitation is one of the chief objects of Public Health department. The improvement of sanitation is carried out in the municipal boards through a regular department, i.e., the department of Public Health—which is

looked after by a qualified doctor. In some of the cities of these provinces Improvement Trusts have been set up on which quite a large sum has been spent to improve the sanitation of these big towns. But with regard to the improvement of sanitation in rural areas I do not know what practical steps have been taken and how they have been taken so far. From what I have seen in the rural areas I do not see any signs of them. It has already been pointed out by another member that in some districts there is greater mortality on account of plague and other epidemic diseases, and in certain other districts there are certain other causes of death. I notice from the recent report of the Public Health department for the year ending 31st March, 1923, that more than 11 lakhs of deaths had taken place in these provinces, and that 20 per cent. of them were due to fevers alone. I think that is a line which requires a great deal of improvement. There is already a regular department about Malariology. The other day, four or five days ago, I saw a pamphlet consisting of four pages which gave a good deal information about the experiments done by that department. After all, we have come back to statistics, and I am not going to say anything about them, after having listened to what Mr. Blunt had to say about indulging in statistics very much. I would urge on the attention of the Hon'ble Minister of Local Self-Government that more attention should be paid to the sanitation not only of the rural areas but of the urban areas as well. I therefore oppose the amendment that is before the House.

The Hon'ble Rai Rajeshwar Bali: As I said a few minutes ago, I have every sympathy for the rural areas, belonging as I do to them. As has been pointed out by Mr. Burn, it is not on account of any apathy on our part that the rural areas have suffered so long. It had been really due to the district boards. That is why this time more money is not provided. I shall now insist on the Board of Public Health and other advisers getting out a workable scheme for the rural areas as well. When that scheme is ready and if the boards are ready to spend more money, I am always ready to bring in a supplementary estimate in order to give them more grants. I therefore hope that my honourable friend the mover will be satisfied that we are as keen about sanitation in rural areas as he is.

The Hon'ble the President: There are two motions before the Council—one for a reduction of Rs. 50,000 under head "Urban sanitation"—33B—Public Health—Miscellaneous allotments; and the second motion is for a reduction of Rs. 35,000.

The question is—"that the demand under "Urban Sanitation" (33B—Public Health—Miscellaneous allotments) be reduced by Rs. 50,000.

The motion was negatived.

The Hon'ble the President: The question is—that under 33B—grants for urban sanitation a reduction of Rs. 35,000 be made.

The motion was negatived.

Lala Mathura Prasad Mehrotra: I beg to move that the demand under 33—Public Health (works) be reduced by Re. 1.

My object in bringing forward this motion is only to inquire about one item only. At page 90 of the detailed estimates I find that a sum of Rs. 13,000 has been provided for the Magh Mela water-supply scheme. I want to know whether this is a permanent scheme or only a temporary

[Lala Mathura Prasad Mehrotra.]

one. The Allahabad Municipality has recently levied a passenger tax and has derived a handsome revenue from it. Is the municipality going to contribute something for the comfort of pilgrims on whom it has levied this tax or not? That is all that I wanted to bring into the notice of the Government.

Mr. E. A. H. Blunt : To the best of my belief I can say that it is a permanent scheme.

Lala Mathura Prasad Mehrotra : I wish to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

The Hon'ble the President : The original motion was that a grant of Rs. 11,22,120 be made under head 33—Public Health. Since when the Council has adopted motions reducing that grant by Rs. 2,480, leaving a net demand of Rs. 11,19,640. This is the motion before the Council.

The question is—that a sum of Rs. 11,19,640 under the head 33—Public Health be granted.

The demand was voted.

Demand No. 12.

HEAD 35—INDUSTRIES.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I rise to communicate to the Council the recommendation of His Excellency the Governor that a sum of Rs. 9,57,600 be provided under the head 35—Industries and move that the amount be voted.

There is one motion on the paper which I accept. It is for Rs. 5,000 and I accept that motion.

The Hon'ble the President : The Hon'ble Minister is speaking now without being called.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am sorry, Sir.

The Hon'ble the President : The first motion on the paper is in the name of Khan Bahadur Maulvi Fasih-ud-din. It refers to 35A—Direction.

It is now 5 o'clock and the question before the Council is that the demand of Rs. 9,57,600 under head 35—Industries be granted.

The demand was voted.

The Council was then adjourned till Monday, the 17th March.

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